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MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
9TH DAY OF JANUARY 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 9th day of January, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Mark Dunlop, President (Dunlop departs at 6:55 pm)
Ramon Romero, Vice President
Leroy King
Kathryn C. Palamountain
Michal Foriest Settles
Darshan Singh
Benny Y. Yee

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and the following was absent:

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The President declared that a quorum was present.

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James B. Morales, Executive Director, and staff members were also present.

NEW BUSINESS - CONSENT AGENDA

THE FOLLOWING ITEMS CONSTITUTE A CONSENT AGENDA, ARE
CONSIDERED TO BE ROUTINE BY THE AGENCY, AND WERE ACTED
UPON BY A SINGLE VOTE OF THE COMMISSION.

(a) Approval of Minutes: Meetings of December 19, 2000

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MS.
PALAMOUNTAIN, AND UNANIMOUSLY CARRIED THAT
CONSENT AGENDA ITEMS (a) APPROVAL OF MINUTES FOR
MEETING OF DECEMBER 19, 2000; BE ADOPTED.

NEW BUSINESS - REGULAR AGENDA

(b) Election of President and Vice President.

Speakers: (supporting Mr. Yee) Mary Helen Rogers, Benjamin Lao, Steven Lee, Ali Al Talah, Corrin Throbridge, Joan Gerardo, Carmen Johnson, Dr. Richard Charney, Gloria Fontanello, Julie Lee, Dennis Wong, Calvin Louie, Arnold Townsend

(supporting Mr. Romero) Thomas Campbell

President Dunlop entertains nomination(s) for the office of President.

- COMMISSIONER PALAMOUNTAIN NOMINATED COMMISSIONER ROMERO FOR THE OFFICE OF PRESIDENCY.

ON ROLL CALL THE FOLLOWING VOTED “AYE”:

Ms. Palamountain
Mr. Romero
Mr. Dunlop

AND THE FOLLOWING VOTED “NAY”:

Mr. King
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING ABSTAINED:

None

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, THREE (3) AYES AND FOUR (4) NOES.

THE PRESIDENT THEREUPON DECLARED THAT THE NOMINATION FAILED.

- COMMISSIONER FORIEST SETTLES NOMINATED COMMISSIONER YEE FOR THE OFFICE OF PRESIDENCY (Commission King seconds the nomination)

ON ROLL CALL THE FOLLOWING VOTED “AYE”:

Mr. King
Ms. Palamountain
Ms. Foriest Settles
Mr. Singh
Mr. Yee
Mr. Dunlop

AND THE FOLLOWING VOTED “NAY”:

Mr. Romero

AND THE FOLLOWING ABSTAINED:

None

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) NO.

THE PRESIDENT THEREUPON DECLARED THAT THE NOMINATION CARRIED, AND COMMISSIONER BENNY Y. YEE IS ELECTED PRESIDENT FOR THE CALENDAR YEAR 2001.

(At this time, Immediate Past President Mark Dunlop congratulates Commissioner Yee and relinquishes the chair to newly elected President Benny Y. Yee)

President Yee entertains nomination(s) for the office of Vice President.

- COMMISSIONER DUNLOP NOMINATED COMMISSIONER PALAMOUNTAIN FOR THE OFFICE OF VICE PRESIDENT.

ON ROLL CALL THE FOLLOWING VOTED “AYE”:

Ms. Palamountain
Mr. Romero
Mr. Dunlop

AND THE FOLLOWING VOTED “NAY”:

Mr. King
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING ABSTAINED:

None

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, THREE (3) AYES AND FOUR (4) NOES.

THE PRESIDENT THEREUPON DECLARED THAT THE NOMINATION FAILED.

- COMMISSIONER SINGH NOMINATED COMMISSIONER KING FOR THE OFFICE OF VICE PRESIDENT.

ON ROLL CALL THE FOLLOWING VOTED “AYE”:

Mr. Dunlop
Mr. King
Ms. Palamountain
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

Mr. Romero

AND THE FOLLOWING ABSTAINED:

None

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) NO.

THE PRESIDENT THEREUPON DECLARED THAT THE NOMINATION CARRIED, AND COMMISSIONER LEROY KING IS ELECTED VICE PRESIDENT FOR THE CALENDAR YEAR 2001.

At this time, President Yee congratulated Commissioner King and thanked his fellow Commissioners and the public for their support. Commissioner Yee announced that he is appointing a three-member committee of the Commission to review, reevaluate and restructure the Agency’s Personnel Policy. He announced that Commissioners King, Foriest Settles and himself will comprise this committee.

- (c) Resolution No. 1-2001, Amending Resolution No. 139-2000 to revise the compensation for certain classifications effective January 6, 2001

Presenter: Ora Williams

Speakers: Mary Helen Rogers, Matthew Schwartz, Sean L. Spear, Shirley Wysinger

Commissioner Foriest Settles requested that a copy of the Shannon Classification and Compensation Study be provided to all Commissioners.

MOTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MS. FORIEST SETTLES THAT ITEM (c), RESOLUTION NO. 1-2001, BE ADOPTED WITH AN AMENDMENT THAT DIRECTS STAFF TO CONDUCT A STUDY OF EXTERNAL COMPARISON OF ALL AGENCY CLASSIFICATIONS, AND ON ROLL CALL THE FOLLOWING VOTED "AYE":

Mr. King
Mr. Dunlop
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Singh

AND THE FOLLOWING VOTED "NAY":

Mr. Yee

AND THE FOLLOWING ABSTAINED:

None

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) NO.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION CARRIED.

- (d) Resolution No. 2-2001, Authorizing the Executive Director to enter into an Agreement for Property Management Services with John Stewart Company for Managing the Plaza Hotel, 988-992 Howard Street, for a term of twenty-four months and Authorizing Expenditures not to exceed \$550,000; South Of Market Earthquake Recovery Redevelopment Project Area

Minutes of a Regular Meeting January 9, 2001

Presenter: Bill Carney, June Bartholomew

Speakers: Mary Helen Rogers

President Yee requested the Commission Secretary to provide a duplicate audio cassette tape of this Commission meeting to ascertain that the staff making the presentation (June Bartholomew) did or did not state her name prior to making her presentation.

MOTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNLOP THAT ITEM (d), RESOLUTION NO. 2-2001, BE ADOPTED, AND ON ROLL CALL THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles

AND THE FOLLOWING VOTED "NAY":

Mr. King
Mr. Singh
Mr. Yee

AND THE FOLLOWING ABSTAINED:

None

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FOUR (4) AYES AND THREE (3) NOES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION CARRIED.

MATTERS NOT APPEARING ON THE AGENDA

Following the Executive Director's announcement that there were no such matters, President Yee remarked that he had earlier attempted to appoint a three-member committee of the Commission and that he understood that this would be the appropriate time for the Commission to consider the appointment of such a committee.

President Yee asked the Agency's General Counsel to opine on the appropriateness of adding the matter to the current Agenda. Ms. Penny Nakatsu, Acting General Counsel, opined that the matter should be added to a future Commission meeting agenda respecting the Brown Act requirements of public notification of meeting agendas. She also suggested that this could occur with a unanimous consent of the Commission.

President Yee suggested that the matter be placed at the next Commission meeting agenda (January 16, 2001).

Commissioners Palamountain and Romero inquired as to what specific policy or policies that the President is intending to review.

Commissioner Foriest Settles suggested that the Commission adopt ground rules and to establish short and long term goals for the year. To that end, Commissioner Foriest Settles introduced a motion that the Commission at their next meeting (January 16, 2001), put on the table a discussion on (1) the ground rules that the Commission would like to operate on and (2) to identify short-term goals for the year 2001. Commissioner Singh seconded the motion and was carried unanimously.

PERSONS WISHING TO ADDRESS THE MEMBERS ON NON-AGENDA, BUT AGENCY RELATED MATTERS.

- Jerry Lynch, Bruce Allison, David Nugent, McKinley Ross, Rebecca Ann Robertson

REPORT OF THE PRESIDENT

- Attended the groundbreaking ceremony for 165 Eighth Street held earlier in the day.
- Requested that arrangements be made to have Commissioners' photographs be taken and installed in the Agency offices.
- Requested that name identification placards with job titles for all Agency staff be provided in the Agency offices.
- Requested that the Commission be notified of all PAC and community meetings and to ensure that the meetings do not conflict with the weekly Commission meetings.

REPORT OF THE EXECUTIVE DIRECTOR

- Informed the Commission that the construction cost for the Third and Mission Project in Yerba Buena Center is \$224 million.
- Received submission from Chuck Collins for the Parcel 732-A proposal.
- Received \$200,000 from Elkor for the Fillmore Loan Program.

Minutes of a Regular Meeting January 9, 2001

- Fillmore Streetscape construction started January 3rd on Golden Gate Avenue.
- Community meeting schedules are already being provided to the Commission and will look into rescheduling PAC meetings to avoid conflicts with Commission meetings.
- Advised the Commission that contact with Agency staff should go through the Executive Director to maintain clear communications with the Commission.

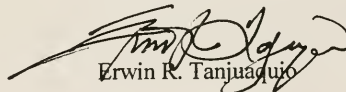
COMMISSIONERS' QUESTIONS AND MATTERS

- Commissioners Singh informed the Commission that he has been receiving telephone calls from the Rincon Center tenants and asked for a status report.
- Commissioner King asked if the proposals submitted by Chuck Collins included the Blue Note jazz supper club. He remarked that the issue of the Commissioners' photographs is a year and half old and instructed the Director to have them completed. He stated that PAC meetings should not conflict with the Commission meetings and reminded that the Agency funds the PACs.
- Commissioner Palamountain declined to have her photograph taken. She also acknowledged and congratulated the Commission Secretary upon celebrating his first year as Commission Secretary.
- Commissioners Romero and Dunlop also declined to have his photograph taken.
- President Yee inquired about the status of the Minna Park project in South of Market and questioned the delay in completing the project.

ADJOURNMENT

It was moved by Mr. Singh, seconded by Ms. Foriest Settles, and unanimously carried that the meeting be adjourned. The meeting adjourned at 8:25 p.m.

Respectfully submitted,



Erwin R. Tanjuaquin
Agency Secretary

APPROVED: (AS AMENDED)

February 27, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
16TH DAY OF JANUARY 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 16th day of January, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Benny Y. Yee, President
Leroy King, Vice President
Mark Dunlop
Kathryn C. Palamountain
Ramon E. Romero
Michal Foriest Settles
Darshan Singh

and the following was absent:

The President declared that a quorum was present.

The Commission met as the Housing Committee of the Affordable Housing and Home Ownership Bond Program before commencing the Regular Meeting Agenda.

James B. Morales, Executive Director, and staff members were also present.

NEW BUSINESS - CONSENT AGENDA

THE FOLLOWING ITEMS CONSTITUTE A CONSENT AGENDA, ARE CONSIDERED TO BE ROUTINE BY THE AGENCY, AND WERE ACTED UPON BY A SINGLE VOTE OF THE COMMISSION.

- (a) Resolution No. 3-2001, Authorizing an Increase from \$6,557,000 to \$7,350,000 of the aggregate principal amount of the Multifamily Housing Revenue Bonds (GNMA Collateralized – Kokoro Assisted Living Facility) 2001 Series A, pertaining to development of parcels 674-C and 674-F, located at 1881-1899 Bush Street; Western Addition Redevelopment Project Area, Area A-2

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ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. KING, AND UNANIMOUSLY CARRIED THAT CONSENT AGENDA ITEM (a) RESOLUTION NO. 3-2001; BE ADOPTED.

NEW BUSINESS - REGULAR AGENDA

- (b) Resolution No. 4-2001, Authorizing Exclusive Negotiations for the lease and development of the Agency Affordable Housing Parcel known as Parcel 1 of Block N3a; Mission Bay North Project Area

Presenters: Matthew Schwartz (Agency Staff), Jim Buckley (CHC), Dave Latina, Sheila Bhatt, George Ivelich (HKIT), Val Augustino, Elizabeth Worthman (Mercy)

Speakers: Norma Satten, Rev. James McCray, Jr., Marie Jobling, Subiani J. King

Commissioner Palamountain commended staff and developers for their hard work.

Commissioner Singh asked what the unit sizes was (square footage) and the occupancy for the units.

President Yee pointed out an inconsistency in the staff memorandum, which stated that the selection panel had serious reservations about the proposal, submitted by Mercy Charities, but that the selection panel recommends the selection of the Mercy Charities proposal. Mr. Yee also asked about the different number of units proposed by the developers.

Commissioner Dunlop commended staff's good work. He asked if Citizens Housing Corporation (CHC) is withdrawing their proposal. He inquired as to the timing of Catellus' transfer of the site to the Agency and asked if the Mission Bay CAC endorsed Mercy Charities' proposal.

Commissioner Foriest Settles asked staff to define "senior" and "frail elderly." She asked if it was appropriate and if Agency staff is qualified to manage the units, if the Agency is equipped to handle such a task. She inquired if the units had functioning kitchens and asked about the selection criteria for the prospective elderly tenants, their eligibility, including the homeless elderly. Ms. Foriest Settles commended staff for their excellent work. She stated that including a library within the development is a good idea, but that staff should insure that there is transportation access to the development to provide broad access.

ADOPTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MR. ROMERO, AND UNANIMOUSLY CARRIED THAT RESOLUTION NO. 4-2001; BE ADOPTED.

- (c) Presentation of Development Proposal for Parcel 732-A, located on the northeast corner of Fillmore and Eddy Streets, by Fillmore Renaissance Associates, L.P., Western Addition A-2

Presenter: James Morales (Agency staff), Chuck Collins (Fillmore Associates), John Ellison Jr. (Ultra Star Theaters)

Speakers: Ace Washington, Mary Helen Rogers, Feysan Lodde, Phil Riedi, Agonafer Shiferaw, Nontsizi Cayou

President Yee asked staff to refresh the Commission's memory on how old this project is and remarked that the original intent for this project did not include housing. Mr. Yee pointed out that his inquiry is for the purpose of informing the new Commissioner.

Commissioner Singh asked how many extensions have been granted for this project and asked what has changed from last September.

Commissioner Romero spoke of the area's history, that foot traffic is needed, that this seems to be a good theater operator and we should find a way to bridge the financing gap. Mr. Romero also remarked that we need to take this opportunity so as not to lose it.

Commissioner Foriest Settles requested input and overview from staff and inquired as the timeline for the project and when the matter would be back before the Commission's consideration.

Commissioner King stated that he remembered the Commission turning down the proposal because it exceeded the budget and he remembers making the motion to grant a 90-day extension with the understanding that the project must stay within budget and that he was not aware of other alternatives to the project.

Commissioner Palamountain asked the following questions:

- Ultra Star's equity capital and percentage of ownership
- \$1.49 million request for debt service
- New equity owner – any discussions with developer about subordination of funding
- Within budget authorization of \$6.4 million
- Chuck Collins close to closing the gap financing
- Commitment from MOCD for \$5.7 million funding
- Blue Note Jazz Club and B.B. King – two separate entities or joined
- Compatibility of uses with proposed housing
- Public support for original proposal

Commissioner Dunlop asked if the condominiums are market rate. Mr. Dunlop thanked the staff for putting together an excellent presentation and commended Mr. Collins for an excellent job of closing the gap financing. He asked if this was a proper use of public money and if the theater operator is for-profit. Mr. Dunlop remarked that he was looking forward to the workshop and to hear from the public.

Commissioner Romero commented that this is a public funding issue and that the Agency does not have a "bottomless purse." He also stated that it is good that Ultra Star is bringing in \$3 million to the project.

President Yee requested staff to provide background information to the Commission on all projects so as to inform all Commissioners of projects' history. Mr. Yee asked if there has been a re-appraisal of the property and if not, a new appraisal should be done.

Commissioner King stated that he was opposed to getting a new appraisal and that we should wait for staff to complete its evaluation.

- (d) Commission Workshop/Discussion on ground rules for Commission's conduct of Agency Business and Identify Commission's short-term goals for the year 2001

Presenter: James Morales (Agency staff)

Speakers: Mary Helen Rogers

Executive Director Morales presented to the Commission a memorandum recommending standards of conduct for the Commission. Mr. Morales shared his observation that the reason for problems that arise at the Commission level is due to a struggle over power between the Commission and the Executive Director and this gets translated into recommendations made by staff and disagreement over such recommendations have resulted in criticisms of staff rather than an honest disagreement on the issue at hand, with the Commission asserting power and authority over staff when staff is simply presenting an honest and objective evaluation of the merits of a particular situation.

Mr. Morales iterated the suggested standards of conduct for the Commission beginning with respecting the appropriate roles of the Commission, Executive Director and staff. He referred to a letter sent by the Mayor to the Commission in 1999 regarding the same subject. Mr. Morales continued with the next suggested standard of conduct dealing with Commissioners criticizing staff without first giving an opportunity to rebut or explain the situation. He stated that unwarranted criticism of staff has resulted in severe morale

problems and departs from the accomplishment of the Agency's overall mission.

The next suggestion was a proposed policy requiring the Commission to disclose outside contact from developers, contractors or interested parties at subsequent meetings so as to fully inform not only the Commission but the public of the flow of information on matters before the Commission's consideration and approval.

The next was a suggestion that the Commission adopt a policy to publicly offer Agency-owned property in order to avoid confusion and disruption in the selection of a developer for a particular piece of property.

Mr. Morales continued with a suggestion that a majority of the Commission, at a public meeting, establish the next meeting's agenda. He remarked that the present Agenda Review Committee that has existed on and off in past years, is not in compliance with Roberts' Rule of Order, the Brown Act and the Agency's By-laws.

Mr. Morales stated that these were the main points of his memorandum and advised that if the suggested standards of conduct are not substantially adopted by the Commission, the working conditions between the Commission and the Executive Director would be intolerable. Mr. Morales thanked the Commission for putting on the workshop as it has provided the opportunity to discuss issues and concerns raised at the staff level and hopefully, promote a better and positive working relationship.

Commissioner Romero stated that he has read the Executive Director's memorandum and that it is right on point and addresses the issues confronting the Commission. Mr. Romero cautioned the Commission about questions with respect to employees' representation, that there are labor laws that prohibit such inquiries outside of the negotiating table. He remarked that the Commission should follow the rules set forth by the Executive Director's memorandum.

Commissioner Dunlop stated that he was glad that the Commission was having the workshop and suggested that the Commission set aside a whole day session to discuss its goals. Mr. Dunlop thanked the Executive Director for a well thought out memorandum but indicated that he did not necessarily agree with every point but was willing to discuss the issues, in particular how the Commission conducts its affairs, openly in public. He suggested that the Commission place at the next meeting's agenda the following standards: (1) public disclosure of outside contact, (2) public offering policy, (3) Agenda

setting to be done publicly, (4) roles of the Commission, Executive Director and staff, (5) Commission's public criticism of staff, and (6) full Commission review of the Executive Director's performance. Mr. Dunlop makes this suggestion into a motion, which was seconded by Commissioner Romero.

MOTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MR. ROMERO THAT THE FOLLOWING STANDARDS OF CONDUCT BE PLACED AT THE NEXT MEETING'S AGENDA: (1) PUBLIC DISCLOSURE OF OUTSIDE CONTACT, (2) PUBLIC OFFERING POLICY, (3) AGENDA SETTING TO BE DONE PUBLICLY, (4) ROLES OF THE COMMISSION, EXECUTIVE DIRECTOR AND STAFF, (5) COMMISSION'S PUBLIC CRITICISM OF STAFF, AND (6) FULL COMMISSION REVIEW OF THE EXECUTIVE DIRECTOR'S PERFORMANCE, AND ON ROLL CALL THE FOLLOWING VOTED "AYE":

Mr. King
Mr. Dunlop
Ms. Palamountain
Mr. Romero

AND THE FOLLOWING VOTED "NAY":

Ms. Foriest Settles
Mr. Singh

Prior to the completion of the vote, Commissioner King asked the Secretary what the Commission was voting on and the Secretary reiterated the motion on the floor, at which time Commissioner King stated that he wanted to change his Aye vote to a No vote.

Commissioner Romero put forth a "Point of Order" questioning the appropriateness of changing one's vote and President Yee sought a ruling from the General Counsel. The General Counsel read from Robert's Rules of Order and stated that (according to Robert's Rules) a member can change his/her vote prior to the completion or tally of the votes.

At this time, the Secretary continued with the vote.

WHEN CALLED UPON, PRESIDENT YEE VOTED AYE.

The Secretary then announced the vote tally noting Commissioner King's changed vote from Aye to No.

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FOUR (4) AYES AND THREE (3) NOES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION CARRIED AND THE SIX ITEMS OF STANDARDS OF CONDUCT WILL BE PLACED AT THE NEXT MEETING'S AGENDA.

MOTION: IT WAS MOVED BY MS. FORIEST SETTLES, SECONDED BY MR. SINGH, THAT IN ADDITION TO THE EXECUTIVE DIRECTOR, ANY MEMBER OF THE COMMISSION IS ALLOWED TO ADD OTHER ITEMS TO BE DEBATED AT NEXT WEEK'S AGENDA.

Commissioner Dunlop offered a friendly amendment to the motion, that Item 4 (d) "Commission Workshop/Discussion on ground rules for Commission's conduct of Agency business and Identification of short-term goals for the year 2001" be carried as Unfinished Business in future Agendas until such time as the Commission votes to remove the item. Commissioner Romero seconded the motion. Commissioner Foriest Settles accepted the amendment.

WITH A UNANIMOUS CONSENT OF THE COMMISSION, THE MOTION AS AMENDED, CARRIED.

MOTION: IT WAS MOVED BY MS. FORIEST SETTLES, SECONDED BY MR. ROMERO AND UNANIMOUSLY CARRIED, THAT THE FOLLOWING ADDITIONAL GROUND RULES AND GOALS BE ADDED TO NEXT WEEK'S AGENDA: (1) ALL COMMISSION MEETINGS SHALL PROMPTLY BEGIN AT THE DESIGNATED TIME OF 4:00 PM, (2) STAFF PRESENTATIONS DESCRIBE ONLY THE SALIENT POINTS OF THE MATTER BEFORE THE COMMISSION, WHICH IS EXPECTED TO HAVE READ THE MATERIALS IN ADVANCE, (3) COMMISSIONERS SHALL HANDLE PERSONAL DISAGREEMENTS WITH OTHER COMMISSIONERS IN A MANNER THAT DOES NOT DISRUPT PUBLIC MEETINGS, (4) THE PRESIDENT, VICE-PRESIDENT AND THE EXECUTIVE DIRECTOR ESTABLISH A BALANCED MEETING AGENDA OF FOUR HOURS MAXIMUM DURATION, (5) THE PRESIDENT AND VICE PRESIDENT SHALL PROVIDE QUARTERLY PROGRESS REPORTS AND FEEDBACK ON THE EXECUTIVE DIRECTOR'S PERFORMANCE, (6) EACH COMMISSIONER SHALL HAVE A GOAL OF VISITING A

MINIMUM OF THREE PROJECT AREA SITES ANNUALLY, AND (7) COMMISSIONERS SHALL REVIEW AND ESTABLISH GOALS ON AN ON-GOING BASIS.

PERSONS WISHING TO ADDRESS THE MEMBERS ON NON-AGENDA, BUT AGENCY RELATED MATTERS.

- Commissioner Foriest Settles shared with the Commission a letter she received requesting that Commission Meetings be broadcast on the Internet.

REPORT OF THE PRESIDENT

- Attended the Martin Luther King, Jr. breakfast on January 15th and stated that he had the honor of introducing Mayor Willie L. Brown, Jr.

REPORT OF THE EXECUTIVE DIRECTOR

- Informed the Commission that staff will be providing a recommendation regarding the South Beach Harbor and Park design and construction and that staff has received 13 submissions, from which the top three will be presented.
- Announced the start of construction for Minna Park with an estimated completion by the end of March stating that the delay was due to a building permit delays.
- Announced that the SFREA will be conducting election of officers and staff is continuing to pursue arbitration matter for the non-represented employees.
- Informed the Commission that staff will be making a recommendation regarding the Rincon Center tenants.

COMMISSIONERS' QUESTIONS AND MATTERS

- Commissioner Palamountain suggested to add an item to the ground rules (at next week's agenda) which would relax strict adherence to Robert's Rules of Order, allowing Commissioners to make brief remarks prior to making motions.
- Commissioner Singh requested that staff continue to work with Rincon Center tenants to help with maintaining the affordability of the below market-rate units.
- Commissioner Romero asked for legal advice regarding conduct on the pending election of employees on bargaining unit representation.

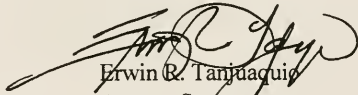
Minutes of a Regular Meeting January 16, 2001

- Commissioner King asked how many employees voted to belong in the Employee Association. Mr. King also asked what has been sent to arbitration. He also asked for the list of employees, which have left the Agency's employ. He inquired about the turnover of the South Beach Harbor to the Port of San Francisco.
- Commissioner Foriest Settles asked about the process of replacing Tiza Peterson who has left the Agency.
- Commissioner King requested that an item be added to next week's agenda regarding establishing a three-person committee of the Commission to review the Agency's personnel policy.

ADJOURNMENT

It was moved by Mr. Singh, seconded by Ms. Foriest Settles, and unanimously carried that the meeting be adjourned. The meeting adjourned at 9:28 p.m.

Respectfully submitted,



Erwin R. Tanjuaquin
Agency Secretary

APPROVED:

March 6, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
23RD DAY OF JANUARY 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 23rd day of January, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Benny Y. Yee, President
Leroy King, Vice President
Mark Dunlop
Kathryn C. Palamountain
Ramon E. Romero
Michal Foriest Settles
Darshan Singh

and the following was absent:

None

DOCUMENTS DEPT.

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The President declared that a quorum was present.

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James B. Morales, Executive Director, and staff members were also present.

MATTERS OF UNFINISHED BUSINESS:

- (a) Commission Workshop/Discussion on ground rules for Commission's conduct of Agency Business and Identification of Commission's short-term goals for the year 2001

With a unanimous consent of the Commission, this item was discussed as part of Item 4 (b) under the Regular Agenda.

NEW BUSINESS - REGULAR AGENDA

- (a) Resolution No. 5-2001, Authorizing the Executive Director to enter into a Memorandum of Understanding with the Mayor's Office of Community Development and the Mayor's Office of Economic Development to receive, administer and disburse \$52,450 in grant funding to the Japantown Planning, Preservation and Development Task Force through their fiscal agent, the Japanese Community Youth Council, for economic and community impact studies; Western Addition Redevelopment Project Area A-2

Presenters: Randi Smith (Agency staff)

Speakers: Mary Helen Rogers, Carmen Johnson

ADOPTION: IT WAS MOVED BY MR. KING, SECONDED BY MR. SINGH, AND UNANIMOUSLY CARRIED THAT RESOLUTION NO. 5-2001, BE ADOPTED.

- (b) Adopting the following Standards for the Agency Commission:

James B. Morales, Executive Director presented each of the following items and provided an overview to the Commission.

- (1) Resolution No. 6-2001, All Commission meetings shall promptly begin at the designated time of 4:00 p.m. (assuming a quorum is present)

Speakers: Mary Helen Rogers, Rev. Arnold G. Townsend

At this time, Commissioner Leroy King made a motion to table Items 4 (b) 1 through 15.

MOTION: IT WAS MOVED BY MR. KING, SECONDED BY MR. SINGH THAT ITEMS 4 (b) 1 THROUGH 15 BE TABLED, AND ON ROLL CALL THE FOLLOWING VOTED "AYE":

Mr. King
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

Mr. Dunlop
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FOUR (4) NOES AND THREE (3) AYES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION FAILED AND DISCUSSION ON THE PROPOSED STANDARDS SHALL CONTINUE.

MOTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MR. ROMERO, THAT RESOLUTION 6-2001 BE ADOPTED, AND ON ROLL CALL, THE FOLLOWING VOTED “AYE”:

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

None

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SEVEN (7) AYES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION CARRIED.

- (2) Resolution No. 7-2001, The Commission shall allow flexibility, as permitted under Robert’s Rules of Order, in allowing members to make brief remarks prior to making motions.

Speakers: Mary Helen Rogers

MOTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNLOP, THAT RESOLUTION NO. 7-2001 BE ADOPTED, AND ON ROLL CALL, THE FOLLOWING VOTED “AYE”:

Mr. Dunlop
Ms. Palamountain
Mr. Romero

AND THE FOLLOWING VOTED “NAY”:

Mr. King
Ms. Foriest Settles
Mr. Singh
Mr. Yee

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FOUR (4) NOES AND THREE (3) AYES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION FAILED.

- (3) Resolution No. 8-2001, Agency staff, in presenting items and recommendations to the Commission, shall describe only the salient points of the matter before the Commission, which is expected to read the materials in advance.

Speakers: Rev. Arnold G. Townsend, Mary Helen Rogers

MOTION: IT WAS MOVED BY MR. SINGH, SECONDED BY MR. KING, TO REJECT RESOLUTION NO. 8-2001, AND ON ROLL CALL, THE FOLLOWING VOTED “AYE”:

Mr. Dunlop
Mr. King
Ms. Palamountain
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

Mr. Romero

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) NO.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION CARRIED AND RESOLUTION 8-2001 IS REJECTED.

- (4) Resolution No. 9-2001, Commissioners shall handle personal disagreements with other Commissioners in a manner that does not disrupt public meetings, which should focus on the public's business.

Speakers: Mary Helen Rogers, Rev. Arnold G. Townsend, Carmen Johnson, Keith Lennon

MOTION: IT WAS MOVED BY MR. ROMERO THAT RESOLUTION NO. 9-2001 BE ADOPTED, BUT THERE WAS NO SECOND TO THE MOTION.

THE MOTION DIES WITHOUT A SECOND.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION DIED WITHOUT A SECOND.

- (5) Commissioners shall disclose outside communication that they have with developers, contractors, and other parties who have a matter pending before the Agency Commission. (Resolution No. 10-2001)
- (6) The Commissioners shall respect the appropriate roles of the Commission, Executive Director, and Agency staff. (Resolution No. 11-2001)
- (7) The Commissioners shall not publicly criticize Agency staff without first giving the Staff the opportunity to rebut or otherwise respond to the criticism. (Resolution No. 12-2001)
- (8) A majority of the Commission shall establish, at a public meeting, the Agenda for future Commission meetings. (Resolution No. 13-2001)
- (9) The President, Vice-President and Executive Director shall establish a balanced meeting agenda of four (4) hours-maximum duration for all Commission meetings. (Resolution No. 14-2001)
- (10) Only the full Commission shall review the performance of the Executive Director. (Resolution No. 15-2001)

- (11) The Commission shall conduct an annual performance review of the Executive Director. (Resolution No. 16-2001)
- (12) The President and Vice President shall provide quarterly progress reports and feedback on the Executive Director's performance. (Resolution No. 17-2001)
- (13) Each Commissioner shall have a goal of visiting a minimum of three (3) project area sites annually. (Resolution No. 18-2001)
- (14) Commissioners shall review and establish goals on an on-going basis. (Resolution No. 19-2001)
- (15) The Agency shall require the public offering of Agency property for development. (Resolution No. 20-2001)

At this time, Commissioner Romero made a motion to table Items 4 (b) 5 through 15 for two weeks to the February 6th meeting.

MOTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MS. PALAMOUNTAIN THAT ITEMS 4 (b) 5 THORUGH 15 BE TABLED FOR TWO WEEKS TO THE FEBRUARY 6TH MEETING, AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Singh
Mr. Yee

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SEVEN (7) AYES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION CARRIED AND ITEMS 4 (b) 5 THROUGH 15 ARE TABLED UNTIL THE FEBRUARY 6TH MEETING.

- (c) Resolution No. 21-2001, Establishing a three-person committee of the Commission to review the Agency's Personnel Policy.

Speakers: Mary Helen Rogers

At this time, Commissioner Dunlop made a motion to continue Item 4 (c) for two weeks to the February 6th Meeting.

MOTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BT MS. PALAMOUNTAIN THAT ITEM 4 (c) BE CONTINUED FOR TWO WEEKS TO THE FEBRUARY 6TH MEETING, AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Singh

AND THE FOLLOWING VOTED "NAY":

Mr. Yee

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) NO.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION CARRIED AND ITEMS 4 (c) IS CONTINUED TO THE FEBRUARY 6TH MEETING.

PERSONS WISHING TO ADDRESS THE MEMBERS ON NON-AGENDA, BUT AGENCY RELATED MATTERS.

- Charlie Walker, Jackie Norman, Dave Osgood, Bill Barnes

REPORT OF THE PRESIDENT

- President Yee expressed his concerns about how the Commission meetings are conducted and advised that matters should be addressed through the Chair and not to individual Commissioners. Mr. Yee informed the Commission that with regard to parliamentary procedures, he has sought the advise of Governor Davis' legal counsel as well as City Attorney

Louise Renne and stated that both agrees with his rulings pertaining to the Chair's prerogative to appoint committees and to participate in debate. He requested staff to write a letter to the City Attorney's office regarding this matter. Mr. Yee remarked that he has been a long-time Commissioner and has never seen anything like this Commission where Commissioners do not get along, resulting in challenges against the Chair. He also admonished the Director about passing notes to Commissioners.

REPORT OF THE EXECUTIVE DIRECTOR

- Informed the Commission that the Plaza Hotel has been conveyed to the Agency.
- Informed the Commission that the Japantown Bowl site has been sold and that the subsequent use would be subject to Commission review.
- Transbay Terminal project briefing in February – briefly described the proposal that will include a new terminal, high-density housing, commercial uses as well as bus lines and CALTRAIN extension.
- State Conciliation has provided a list of arbitrators for non-represented Agency employees and will select from the list.
- Rincon Center matter – reminded the Commission that it voted to consider the below market-rate units matter and that staff is evaluating the proposal from the new owner. Also remarked that several members of the Board of Supervisors have requested briefings on this matter.

COMMISSIONERS' QUESTIONS AND MATTERS

- President Yee requested that if the Director does not have time to meet with the Rincon Center tenants, he should delegate the matter to other staff to insure responsiveness to the tenants.
- Commissioner Foriest Settles encouraged diversity in the Agency's workforce as recruitment for the Deputy Executive Director for Finance proceeds. She also requested that there be a public discussion on public finance and asked that the Agency's audit results be placed on a future Commission Meeting Agenda. Ms. Foriest Settles followed up on a public comment (from Rev. Arnold G. Townsend) regarding not receiving the Meeting Agenda. She requested that the Commission receive relevant materials including newspaper articles about the Agency as soon as possible. She shared her concerns about procedural and/or parliamentary rules for the Commission and asked if the Commission needed an "expert" on Roberts' Rules of Order.
- Commissioner Romero commented that all Commissioners should keep their copies of Roberts' Rules handy and follow along as specific rules are cited. Mr. Romero shared (with Commissioner Foriest Settles) that he has

kept a collection of newspaper articles and is willing to share them. With respect to labor relations and negotiations, he suggested that the Agency use AAA to select from their list of arbitrators.

- Commissioner King stated that he was glad to hear Commissioner Foriest Settles comments on Roberts' Rules and that the Commission should hire its own Attorney who is an expert on parliamentary rules. Mr. King shared his concerns about disorder in the meeting in particular, challenges against the Chair. He commented that some people are dissatisfied that they were not elected Chair and that the elected Chair should be respected.
- Commissioner Singh requested that the Rincon Center matter should be placed on the Agenda in order to help the tenants.
- Commissioner Palamountain inquired about the schedule for the Mid-Market Survey Area and asked for what purpose Supervisor Daly is holding public hearings on Mid-Market. Ms. Palamountain, in reference to public comment by Mary Rogers, asked if the AMC theaters has been sold. She also asked what the cost would be for hiring an expert on Roberts' Rules and suggested that a retreat and training on parliamentary procedures would be better.
- Commissioner Dunlop indicated his support for hiring a Parliamentarian and pointed out that General Counsel Ontiveros was not hired as a Roberts' Rules expert. Mr. Dunlop also suggested that a retreat on rules and general matters should be considered by the Chair. Mr. Dunlop responded to President Yee's earlier comment about the Director passing notes to him and stated that he considered the comment offensive and insulting.
- President Yee stated that passing notes during the meeting is bad behavior and is disrespectful of the Chair. Mr. Yee opined that the Commission should retain an expert on rules and holding a retreat would not be helpful.
- Commissioner Foriest Settles advised the Commission that she has time constraints due to upcoming BART labor negotiations and may not be in attendance at all Commission meetings.
- Commissioner King agreed that a retreat would not be helpful and does not want to sit through a training on rules. He stated that what the Commission needed is an Attorney who knows Roberts' Rules.
- Commissioner Romero favored a retreat and training on rules.
- President Yee instructed the Director and Counsel to write a letter to the City Attorney regarding the Chair's rights.
- Commissioner Singh suggested that Buck Delventhal of the City Attorney's office should conduct the training on rules.

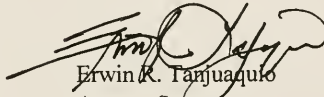
CLOSED SESSION:

Pursuant to Government Code § 54956.8 to instruct the Agency's real property negotiator with respect to terms of payment regarding ground lease with Fillmore Renaissance Associates LLP, Parcel 732-A; Western Addition A-2 Redevelopment Project Area. Agency negotiators: Shirley Wysinger, Darby Kremers and Ricky Tijani.

ADJOURNMENT

It was moved by Mr. Dunlop, seconded by Mr. Singh, and unanimously carried that the meeting be adjourned. The meeting adjourned at 8:58 p.m.

Respectfully submitted,



Erwin R. Tanjuaquilo
Agency Secretary

APPROVED:

March 20, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
30TH DAY OF JANUARY 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 30th day of January, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Benny Y. Yee, President
Leroy King, Vice President
Mark Dunlop
Kathryn C. Palamountain
Ramon E. Romero
Michal Foriest Settles
Darshan Singh (departs @ 4:50 p.m.)

and the following was absent:

None

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The President declared that a quorum was present.

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James B. Morales, Executive Director, and staff members were also present.

1.(a) Mayor Willie L. Brown, Jr. to address the Commission

The Honorable Mayor Willie L. Brown, Jr. addressed the Commission with respect to the proposed Standards of Conduct for the Commission and reflected on the way the last Commission meeting (January 23rd) was conducted and remarked that what he witnessed was not good and it is not what the City looks to or deserves. The Mayor suggested to the Commission that it should have a parliamentarian to keep the meetings orderly and that he would recommend a Parliamentarian (from the National Association of Parliamentarians). Mayor Brown recalled his own experience as Speaker of the House and the necessity to be familiar with parliamentary procedures was a very critical part of his responsibilities and more importantly, the exercise of absolute impartiality and objectivity as Chair is paramount. The Mayor stated that he supports the Executive Director's proposals of Standards of

Conduct for the Commission and advised that the whole Commission conduct an annual evaluation of the Executive Director's performance. Mayor Brown recited the various important projects that the Commission has underway, including Mission Bay (which he suggested that a power plant may be located), Hunters Point Shipyard, Transbay Terminal, Central Freeway parcels, Mid-Market, South of Market, Section 8 subsidies in cooperation with other City departments. Mayor Brown specifically addressed the issue of outside contact made with Commissioners and vigorously expressed his opinion that any contact from anyone, not just developers, should be disclosed by the Commissioners. With respect to meeting procedures, the Mayor remarked that Commissioners should not have to speak twice on a matter and that Commissioners should rely upon the recommendation of staff, who does excellent work. He commented that by limiting speeches, Commission meetings would not last for hours and hours. Mayor Brown advised the Commission that it should not publicly criticize Agency staff and that the Commission should deal with personnel matters in closed session. The Mayor then entertained questions from the Commission.

- Commissioner Dunlop asked about adherence to Roberts' Rules and the proposed disclosure policy.
- Commissioner Foriest Settles asked about the Board of Supervisors process in their attempt to adopt similar codes of conduct.
- Commissioner Romero asked if the Commission should wait for the Board of Supervisors to adopt its code of conduct.

President Yee thanked the Mayor for taking time to talk with the Commission.

NEW BUSINESS - REGULAR AGENDA

- (a) Resolution No. 22-2001, Commending and Expressing appreciation to Patricia Rinaldo for her services upon the occasion of her departure from the Redevelopment Agency of the City and County of San Francisco

Presenters: James B. Morales (Agency staff)

ADOPTION: IT WAS MOVED BY MR. SINGH, SECONDED BY MR. DUNLOP, AND UNANIMOUSLY CARRIED THAT RESOLUTION NO. 22-2001, BE ADOPTED.

- (b) Resolution No. 23-2001, Authorizing Exclusive Negotiations with EDAW Inc. as Prime Consultant for a Consulting Contract for Design and Engineering Services for the South Beach Park and Harbor Improvement Project; Rincon Point-South Beach Redevelopment Area

Presenters: Amy Neches, James Nybakken (Agency staff)

Speakers: Ann Sieck (Disabled Sailors), Dan Sullivan (South Beach Yacht Club)

Commissioner King inquired about the workforce breakdown and Affirmative Action.

Commissioner Foriest Settles commended staff for a very thorough report and inquired about the status of the ship restaurant, Dolphin P. Rempp, specifically if the ship restaurant would impede in the design and construction work. Ms. Foriest Settles asked what would happen if negotiations fail with the selected consultant and if the Director has authority to extend the Exclusive Negotiations Agreement.

Commissioner Palamountain stated her support for the item and commended staff for the excellent work and praised the efforts to provide good public access to the waterfront. She also asked about the Port of San Francisco's involvement.

Commissioner Romero commended staff for staff's good work in particular, the tremendous level of detail provided in the memorandum. Mr. Romero shared his travel experience in Sydney, Australia and how beautiful their waterfront is.

Commissioner Dunlop thanked the staff for the great work and lauded the beautiful design.

President Yee requested staff to include workforce breakdown with the Agenda packet so as to allow time for the Commissioners to review the material, because it is difficult to make an evaluation without the affirmative action information.

At 4:50 p.m., Commissioner Darshan Singh departs the meeting.

ADOPTION: IT WAS MOVED BY MS. FORIEST SETTLES, SECONDED BY MR. DUNLOP AND UNANIMOUSLY CARRIED THAT RESOLUTION NO. 23-2001, BE ADOPTED.

- (c) Resolution No. 24-2001, Authorizing a First Amendment to the Personal Service Contract with the Columbia Park Boys and Girls Club, a California non-profit public benefit corporation, for steam cleaning services for the Sixth Street sidewalks and adjacent streets (which extends the Contract schedule and permits the retroactive payment for services provided in December 2000 and January 2001); South of Market Earthquake Recovery Redevelopment Project Area

Presenters: William Carney (Agency staff), Marissa Yanakais (Columbia Boys and Girls Club)

Commissioner Foriest Settles asked if the contract had expired and inquired about RFP policy regarding going to other agencies.

Commissioner Palamountain congratulated staff and the Columbia Boys and Girls Club.

President Yee stated that contracts should be brought to the Commission before they expire and not after.

ADOPTION: IT WAS MOVED BY MR. KING, SECONDED BY MS. PALAMOUNTAIN, AND UNANIMOUSLY CARRIED THAT RESOLUTION NO. 24-2001, BE ADOPTED.

NOTE: Items 4 (c) and (d) are related matters and were presented together, but acted upon separately by the Commission.

Presenters: Aaron Krasnow (Agency staff), Judith Stevenson (Baker Places)

Speakers: Luis Torres, Ric West

- (d) Resolution No. 25-2001, Authorizing the Executive Director to enter into an Assumption of Loan Agreement with Baker Places, Inc. and Dolores Street Community Services to assign a Tax Increment Affordable Housing Program Loan Agreement dated September 23, 1997 in the original principal amount of \$300,000; Citywide Tax Increment Housing Program

Commissioner Dunlop stated his support for the program and remarked that Baker Places is a Godsend because it benefits the homeless.

Commissioner Foriest Settles asked if staff monitor the funding and requested progress reports. Ms. Foriest Settles asked if the project is still linked with Glide church.

Commissioner Romero thanked the residents who testified and took time to attend the meeting.

President Yee stated his support for the project, but wished that staff would provide six-month progress report on the project.

ADOPTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MS. FORIEST SETTLES, AND UNANIMOUSLY CARRIED THAT RESOLUTION NO. 25-2001, BE ADOPTED.

- (e) Resolution No. 26-2001, Authorizing the Executive Director to enter into a San Francisco Redevelopment Agency Housing Opportunities for Persons With AIDS ("HOPWA") Program Capital Loan Agreement in an amount not to exceed \$1,122,520 with Baker Places, Inc. to fund costs related to the development of eight (8) beds for persons with HIV/AIDS at 214 Dolores Street and to fund an additional \$7,200 for closing costs related to Dolores Street Community Service holding period expenses; Housing Opportunities for Persons With AIDS

ADOPTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MR. ROMERO, AND UNANIMOUSLY CARRIED THAT RESOLUTION NO. 26-2001, BE ADOPTED.

PERSONS WISHING TO ADDRESS THE MEMBERS ON NON-AGENDA, BUT AGENCY RELATED MATTERS.

- Thomas Campbell, Stewart Chisome, Dave Osgood

REPORT OF THE PRESIDENT

- President Yee shared with the Commission his attendance at the Metreon event held the previous Wednesday.

REPORT OF THE EXECUTIVE DIRECTOR

- Informed the Commission that Executive Management staff met with SFREA regarding negotiations and will calendar a closed session item to get direction from the Commission.
- BAYCAT trailer has been installed and will be set up and running.

- Meeting with Supervisors Ammiano and Daly regarding the Rincon Center tenants issue and the Supervisors requests the Agency to look at a new program for retaining the below market-rate units until incomes rise to 150% of the median income.
- Request from TODCO to appoint a trustee to Yerba Buena Gardens who would provide oversight for housing projects – retired employee Louis Preston was last appointed trustee, Jose Campos, Planning Supervisor is now the trustee.

COMMISSIONERS' QUESTIONS AND MATTERS

- Commissioner Romero requested staff to follow up with Thomas Campbell's request for financial assistance. Mr. Romero requested a report on the Fillmore Loan Program.
- Commissioner Foriest Settles commented on the Mayor's address and asked that duplicate audio tapes be provided to the Commission. Ms. Foriest Settles informed the Commission that she would be arriving late on the February 13th meeting due to a BART Board Meeting. She thanked staff for briefing her on the financing and requested staff to arrange other project area tours.
- Commissioner Dunlop asked staff to look into Thomas Campbell's request for financial assistance. Mr. Dunlop asked what the rents would be for Rincon Center using the basis of 150% of median income.
- Commissioner King also requested duplicate audio tapes of the Mayor's address to the Commission.

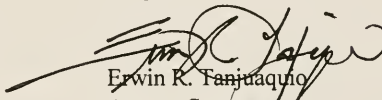
CLOSED SESSION:

- (a) Pursuant to Government Code §54956.9(c), Conference with Legal Counsel regarding initiation of litigation: one potential case.
- (b) Pursuant to Government Code §54956.9(b)(1), Conference with Legal Counsel regarding anticipated litigation: one potential case.

ADJOURNMENT

It was moved by Mr. Dunlop, seconded by Mr. Romero, and unanimously carried that the meeting be adjourned. The meeting adjourned at 7:18 p.m.

Respectfully submitted,



Erwin R. Faniuaquino
Agency Secretary

APPROVED:

March 20, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
6TH DAY OF FEBRUARY 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 6th day of February, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Benny Y. Yee, President
Leroy King, Vice President
Mark Dunlop
Kathryn C. Palamountain
Ramon E. Romero
Michal Foriest Settles (departs @ 10:15 pm)
Darshan Singh

and the following was absent:

None

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The President declared that a quorum was present.

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James B. Morales, Executive Director, and staff members were also present.

MOTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MR. DUNLOP THAT ITEMS 4(a), (b) AND ITEM 6 BE HEARD OUT OF ORDER, AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles

AND THE FOLLOWING VOTED “NAY”:

Mr. King
Mr. Singh
Mr. Yee

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FOUR (4) AYES AND THREE (3) NOES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION CARRIED AND ITEMS 4(a), (b) UNDER NEW BUSINESS, REGULAR AGENDA, AND ITEM 6 SHALL BE HEARD FIRST.

NEW BUSINESS – REGULAR AGENDA

- 4 (a)** Resolution No. 27-2001, Approving the Schematic Design for The Commons Open Space Parcels P16 & P17 in Mission Bay South pursuant to an Owner Participation Agreement with Catellus Development Corporation; Mission Bay South Redevelopment Project Area

MOTION: IT WAS MOVED BY MR. SINGH, SECONDED BY MR. DUNLOP, AND UNANIMOUSLY CARRIED THAT ITEM 4(a), RESOLUTION NO. 27-2001, IS CONTINUED TO FEBRUARY 13, 2001.

- 4 (b)** Workshop on the Agency's FY 2001/02 Budget and Five-Year Plan

Presenters: Mario Menchini (Agency staff)

Speakers: Mary Helen Rogers

Commissioner Dunlop inquired as to what funds are allocated for the Central Freeway project and the Mid-Market Survey Area.

At this time, “Item 6 Persons Wishing to Address the Members on Non-Agenda, but Agency-related matters,” was brought forward by the Commission.

PERSONS WISHING TO ADDRESS THE MEMBERS ON NON-AGENDA, BUT AGENCY RELATED MATTERS.

NOTE: The following members of the public provided testimony on the subject of Commissioners Dunlop and King’s alleged confrontation and conflict (except for Dave Osgood who spoke about Rincon Center).

Minutes of a Regular Meeting February 6, 2001

- Charlie Walker
- Rev. Roland Gordon
- Rebecca Morrow
- Vince Quackenbush
- Joe O'Donoghue
- Peter Grahm Cohn
- Naomi Gray
- Ted Frazier
- Mary helen rogers
- Dr. Amos C. Brown
- Julie Lee
- Rev. Arnold G. Townsend
- Walter Johnson
- James Bryant
- Lawanda Preston
- Josie Mooney
- Paul Hogan
- Quentin Easter
- Michael Lauro
- Carolyn Stephens
- Claudia Cody
- Pello Smith
- Oba Tshaka
- Professor Nontsizi Cayou
- Rev. Arelious Walker
- Myles Stevens
- Ali Alitala
- Leona Lee
- Michael J. Benardo
- Jesse Mason
- Richard Brown
- Michael Casey
- Aaron Terris Grizzell
- Rodney Hampton, Jr.
- Jon Henry Kouba
- Stanley H. Hall
- Stan Warren
- Jackie Norman
- Muhammad Al-Kareem
- Dr. Caesar Churchwell
- Dorothy Peterson
- Tho Do
- Derek Glass
- Sululagi Palega
- Ulysses J. Montgomery
- John Hanley
- Richard Waller
- Agonafer Shiferaw
- Doris Vincent
- Hank Wilson
- Andre Spearmaon
- Carmen Johnson
- Allen White
- Bill Barnes
- Dave Osgood
- Mel Washington
- David Habert
- Virgil Herndon
- Frankie jefferson
- Alice Viakin
- Frederick Hobbs
- Supervisor Sophie Maxwell
- Oroville Luster
- George Bridges
- Shelly Bradford-Bell
- Linda Richardson

MATTERS OF UNFINISHED BUSINESS:

- 3 (a)** Commission Workshop/Discussion on ground rules for Commission's conduct of Agency Business and Identification of Commission's short-term goals for the year 2001

MOTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNLOP, AND UNANIMOUSLY CARRIED THAT ITEM 3 (a) BE CONTINUED TO THE MEETING OF FEBRUARY 13, 2001.

- (b) (5) Resolution No. 10-2001, Commissioners shall disclose outside communication that they have with developers, contractors, and other parties who have a matter pending before the Agency Commission.

Speakers: Dale Carlson, Peter Graham Cohn

MOTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNLOP, THAT ITEM 3(b)(5), RESOLUTION NO. 10-2001, BE ADOPTED.

Commissioner Foriest Settles asked for a clarification on “matters pending” before the Commission that would come under the proposed Disclosure policy. Ms. Foriest Settles suggested two editorial changes to the resolution; Item 3 under Basis for Resolution, second line, to add the word “all” before the word “persons” and on the third line, add the words “or interest” after the word “matter.” Ms. Foriest Settles asked if the Commission would have the opportunity to disclose outside contact verbally, in addition to the written form submitted to the Agency Secretary. She also asked that the disclosure form be consistent with the policy to indicate “all persons.”

Ms. Foriest Settles recommended an amendment to the resolution to include Agency Officers in addition to the Commission, in the disclosure of outside communications.

Commissioner Palamountain asked for clarification of “Agency Officers.”

Commissioner Foriest Settles responded by referring to the Fair Political Practices Act, in particular the Economic Disclosure Form required to be filled out by “Agency Officers” and requested further clarification from the Executive Director. Ms. Foriest Settles explained that since there would be a substantial number of employees that would need to fill out Economic Disclosure forms, that this is not her intent to include these employees, but certainly the Executive Director and other senior or executive staff.

General Counsel Ontiveros, after consulting with Ora Williams, Human Resources Manager, and Penny Nakatsu, Deputy General Counsel, explained that if Commissioner Foriest Settles is referring to the officers of the corporation, “Agency Officers” are defined in the Agency’s By-laws to include all of the Commissioners, the Agency Secretary and the Executive Director. Ms. Ontiveros further explained that there are about fifty employees subject to the Fair Political Practices Act and are deemed to be Agency officials, and asked Commissioner Foriest Settles if she was referring to these employees.

Commissioner Foriest Settles stated that she was not referring to the fifty "Agency Officials" and is referring to the Executive Director and the Agency Secretary to be included in the disclosure policy.

Commissioner King stated that he supports the amendment but that Agency Officers should include the deputy executive directors and general counsel in the disclosure policy.

Commissioner Dunlop asked if the Commission was amending the amendment offered by Commissioner Foriest Settles since Commissioner King has suggested to include other staff in the disclosure policy.

President Yee explained that up to this time there has not been a second to the amendment by Commissioner Foriest Settles and asked the Parliamentarian for clarification.

Commissioner Singh seconded the motion to amend the main resolution (Resolution No. 10-2001).

Parliamentarian John L. Taylor reiterated the amendment to the main motion and stated "Disclosure of outside contact would include in addition to the Commissioners, Agency Officers which consist of the Executive Director and the Agency Secretary."

President Yee stated that Agency Secretary should not be included.

Parliamentarian John L. Taylor stated that the Agency Secretary is an officer of the Agency.

President Yee responded that it is not specified that the Secretary is an Agency Officer.

General Counsel Ontiveros read from Section 21 of the Agency's By-laws which define the Agency Officers, stating "Officers of the Agency shall be the President, Vice-President, Secretary, Treasurer, Executive Director, and Senior Deputy Executive Director." Ms. Ontiveros pointed out that the position of Senior Deputy Executive Director is a vacant position.

President Yee acquiesced and asked if this was what Commissioner King was speaking of in his earlier suggestion. (Affirmative nod from Commissioner King)

Commissioner Romero stated his concerns that he does not know what the feelings of the Executive Director are with regard to the amendment and requested the Executive Director to respond.

President Yee admonished Commissioner Romero that the Director follows the policies of the Commission and not the other way around and to not be concerned with the Director's feelings.

Commissioner Romero responded by not accepting the amendment to his main motion to adopt Resolution No. 10-2001.

President Yee then stated the main motion to adopt Resolution No. 10-2001 is now before the Commission.

Commissioner King asked if Commissioner Foriest Settles withdrew her amendment.

Commissioner Foriest Settles stated that she has not withdrawn her amendment but believed that her amendment died because it was not accepted by the maker of the main motion.

Commissioner King asked the Parliamentarian if the amendment has to be accepted by the maker of the main motion.

Parliamentarian John L. Taylor stated that an amendment to a main motion does not need to be accepted. Mr. Taylor explained that the phrase "friendly amendment" is commonly used when there is agreement or consensus and pointed out that this is not the case with the matter before the Commission. Mr. Taylor further explained that it is in order to make a motion to amend the main motion, seconded and voted upon.

President Yee asked Commissioner Foriest Settles to restate her motion to amend the main motion.

Commissioner Foriest Settles restated her motion to amend and it was seconded by Commissioner Singh.

Commission King stated that the amendment to the motion is very clear, that the executive staff along with the Commissioners should disclose any contact they have with developers, community people or anyone and fill out the form specified in this disclosure policy. Mr. King stated that he certainly agrees with the amendment.

President Yee asked the Agency Secretary to restate exactly the amendment.

Agency Secretary Tanjuaquio restated Commissioner Foriest Settles' amendment to the main motion, "This is a motion to amend Resolution No. 10-2001, specifically recital number three under Basis of Resolution to include the words "all" persons who have a matter "or interest" pending before the Commission; a secondary part of Commissioner Foriest Settles amendment would include disclosure not only by Commissioners, but also Agency Officers, as identified in the Agency's By-laws."

President Yee stated, "That is correct."

Commissioner Dunlop asked (through the Chair) what the Executive Director's feelings are with regard to the inclusion of Agency Officers in the disclosure policy.

Executive Director Morales stated that he welcomed the opportunity to inform the public and the Commission of contacts he receives and strongly supports the policy to disclose outside contacts and is willing to subject the Executive Office to such policy. Mr. Morales commented that extending the disclosure policy to the Agency Secretary would also be appropriate, although the inquiries or contacts received by the Agency Secretary would consist of logistical or scheduling matters which are exempt from the disclosure policy.

Commissioner Romero stated that he would support the amendment.

President Yee asked the Executive Director for a clarification on the word "pending" before the Commission, specifically what time frame.

MOTION TO AMEND: IT WAS MOVED BY MS. FORIEST SETTLES, SECONDED BY MR. SINGH, TO AMEND RESOLUTION NO. 10-2001, SPECIFICALLY RECITAL NUMBER THREE UNDER BASIS OF RESOLUTION TO INCLUDE THE WORDS "ALL" PERSONS WHO HAVE A MATTER "OR INTEREST" PENDING BEFORE THE COMMISSION; AND WOULD INCLUDE DISCLOSURE NOT ONLY BY COMMISSIONERS, BUT ALSO AGENCY OFFICERS, AS DEFINED IN THE AGENCY'S BY-LAWS, AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTE “NAY”:

None.

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SEVEN (7) AYES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION CARRIED ON THE AMENDMENT TO THE MAIN MOTION TO ADOPT RESOLUTION NO. 10-2001.

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNLOP, THAT ITEM 3(b)(5), RESOLUTION NO. 10-2001 (ADOPTING POLICY FOR THE DISCLOSURE OF OUTSIDE COMMUNICATIONS BY AGENCY COMMISSIONERS AND OFFICERS ON MATTERS PENDING BEFORE THE AGENCY COMMISSION), AS AMENDED, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED “AYE”:

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTE “NAY”:

None.

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SEVEN (7) AYES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION TO ADOPT RESOLUTION NO. 10-2001 AS AMENDED, CARRIED.

- (b) (6) Resolution No. 11-2001, The Commissioners shall respect the appropriate roles of the Commission, Executive Director, and Agency staff.

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNCLOP, AND UNANIMOUSLY CARRIED THAT RESOLUTION NO. 11-2001 (AMENDING ARTICLE III, SECTION 38 OF THE BY-LAWS OF THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO TO STATE THAT AGENCY COMMISSIONERS RESPECT THE APPROPRIATE ROLES OF THE COMMISSION, EXECUTIVE DIRECTOR AND AGENCY STAFF), BE ADOPTED.

- (b) (7) Resolution No. 12-2001, The Commissioners shall not publicly criticize Agency staff without first giving the Staff the opportunity to rebut or otherwise respond to the criticism.

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNLOP, THAT RESOLUTION NO. 12-2001 (APPROVING A POLICY THAT AGENCY COMMISSIONERS NOT PUBLICLY CRITICIZE AGENCY STAFF WITHOUT FIRST GIVING AGENCY STAFF THE OPPORTUNITY TO REBUT OR OTHERWISE RESPOND TO THE CRITICISM), BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Singh

AND THE FOLLOWING VOTE "NAY":

Mr. King
Mr. Yee

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FIVE (5) AYES, AND TWO (2) NOES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION CARRIED.

- (b) (8) Resolution No. 13-2001, A majority of the Commission shall establish, at a public meeting, the Agenda for future Commission meetings.

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MS. PALAMOUNTAIN, THAT RESOLUTION NO. 13-2001 (AMENDING ARTICLE III, SECTION 38 OF THE BY-LAWS OF THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO TO ADD THAT A MAJORITY OF THE COMMISSION ESTABLISH AT A PUBLIC MEETING THE AGENDA FOR FUTURE COMMISSION MEETINGS), BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Ms. Palamountain
Mr. Romero

AND THE FOLLOWING VOTE "NAY":

Mr. King
Ms. Foriest Settles
Mr. Singh
Mr. Yee

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FOUR (4) NOES, AND THREE (3) AYES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION FAILED.

- (b) (9) Resolution No. 14-2001, The President, Vice-President and Executive Director shall establish a balanced meeting agenda of four (4) hours-maximum duration for all Commission meetings.

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNLOP, AND UNANIMOUSLY CARRIED THAT RESOLUTION NO. 14-2001 (AMENDING ARTICLE III, SECTION 38 OF THE BY-LAWS OF THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO TO ADD THAT THE PRESIDENT, VICE-PRESIDENT AND EXECUTIVE DIRECTOR MAKE EVERY EFFORT TO ESTABLISH A BALANCED MEETING AGENDA OF FOUR HOURS MAXIMUM DURATION FOR ALL AGENCY COMMISSION MEETINGS), BE ADOPTED.

- (b) (10) Resolution No. 15-2001, Only the full Commission shall review the performance of the Executive Director.

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNLOP, THAT RESOLUTION NO. 15-2001 (ADOPTING A POLICY THAT THE PERFORMANCE REVIEW OF THE EXECUTIVE DIRECTOR BE CONDUCTED BY THE ENTIRE COMMISSION OF THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO), BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero

AND THE FOLLOWING VOTED "NAY":

Ms. Foriest Settles
Mr. Singh
Mr. Yee

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FOUR (4) AYES, AND THREE (3) NOES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION CARRIED.

- (b) (11) Resolution No. 16-2001, The Commission shall conduct an annual performance review of the Executive Director.

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MS. PALAMOUNTAIN, AND UNANIMOUSLY CARRIED THAT RESOLUTION NO. 16-2001 (ADOPTING A POLICY THAT THE COMMISSION OF THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO CONDUCT AN ANNUAL PERFORMANCE REVIEW OF THE EXECUTIVE DIRECTOR), BE ADOPTED.

At this time, approximately 10:15 p.m., Commissioner Foriest Settles departs.

MOTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MR. ROMERO, THAT ITEMS 3(b) (12) THROUGH (15) and item 3 (c) BE CONTINUED TO THE MEETING OF FEBRUARY 13, 2001, AND ON ROLL CALL, THE FOLLOWING VOTED “AYE”:

Mr. Dunlop
Ms. Palamountain
Mr. Romero
Mr. Singh

AND THE FOLLOWING VOTED “NAY”:

Mr. King
Ms. Foriest Settles
Mr. Yee

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FOUR (4) AYES, AND THREE (3) NOES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION CARRIED.

REPORT OF THE PRESIDENT

- President Yee shared the response from the City Attorney’s office regarding his inquiry about the Chair’s prerogative to appoint a 3-member committee of the Commission.

REPORT OF THE EXECUTIVE DIRECTOR

- Status report on the Rincon Center Below Market-Rate Units.

COMMISSIONERS’ QUESTIONS AND MATTERS

- President Yee asked that as soon as correspondence is received (reference to City Attorney’s letter), the President should be informed.
- Commissioner King remarked there are attempts to limit the authority of the President and Vice-President. Mr. King also pointed out the Parliamentarian’s role is limited to Roberts’ Rules of Order.
- Commissioner Dunlop shared with the Commission a Board of Supervisors Resolution commending the Agency’s Executive Director.

- Commissioner King read a statement denying all allegations pertaining to Commissioner Dunlop's charges of sexual harassment and gross misconduct.
- Commissioner Singh asked when the Rincon Center tenants are meeting.

CLOSED SESSION:

At this time, Commissioner Dunlop made a motion to continue the closed session items to the meeting of February 13, 2001.

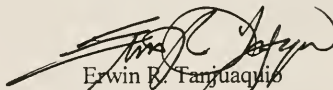
Commissioner Singh seconded the motion. IT WAS ADOPTED UNANIMOUSLY.

- (a) Pursuant to Government Code § 54956.8 to instruct the Agency's real property negotiator with respect to terms of payment regarding ground lease with Fillmore Renaissance Associates LLP, Parcel 732-A; Western Addition A-2 Redevelopment Project Area. Agency negotiators: Shirley Wysinger, Darby Kremers and Ricky Tijani.
- (b) Pursuant to Government Code §54956.8 to instruct the Agency's real property negotiators with respect to price and terms of payment. The property is the Minna Lee Hotel located at 139-149 Sixth Street, Assessor Block No. 3725, Lot 063; South of Market Earthquake Recovery Redevelopment Project Area and the owner of the property with whom the Agency may negotiate with is Kiran Patel. Agency negotiators: Olson Lee, Darby Kremers, Bill Carney, Al Luis and Vanessa Dandridge.

ADJOURNMENT

It was moved by Mr. Singh, seconded by Mr. Dunlop, and unanimously carried that the meeting be adjourned. The meeting adjourned at 11:13 p.m.

Respectfully submitted,


Erwin B. Tanguaquin
Agency Secretary

APPROVED: (AS AMENDED)

March 27, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
13TH DAY OF FEBRUARY 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 13th day of February, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Benny Y. Yee, President
Leroy King, Vice President
Mark Dunlop
Kathryn C. Palamountain
Ramon E. Romero
Michal Foriest Settles (arrives @ 7:00 pm)
Darshan Singh (departs @ 10:00 pm)

and the following was absent:

None

The President declared that a quorum was present.

James B. Morales, Executive Director, and staff members were also present.
Nancy Elsner, Parliamentarian was also present.

DOCUMENTS DEPT.

SEP 13 2007

MATTERS OF UNFINISHED BUSINESS:

SAN FRANCISCO
PUBLIC LIBRARY

The following items 3(a) through 3(d) were continued from February 6, 2001.

Commissioner King requested that items 3(a) through 3(c) be taken up no earlier than 7:30 p.m. because Commissioner Foriest Settles is not scheduled to arrive until that time and remarked that it would be nice if she was present to discuss the rules which has recommended. Mr. King stated that he is making this request in the form of a motion. Mr. Singh seconded the motion.

Commissioner Romero stated that he received a telephone message from Commissioner Foriest Settles stating that she would be finishing her meeting at BART at around 7:00 – 7:30 p.m. and express doubt that she would even make it to the meeting and did not specifically request to change the order of the agenda. Mr. Romero stated that he would oppose the motion.

Commissioner Singh requested to delay the items since he heard Mr. Romero state that Ms. Foriest Settles indicated that she might not even make it to the meeting.

Commissioner Dunlop suggested an amendment to Mr. King's motion to delay only items 3(b)(12), (b)(13) and (b)(14), which are items proposed by Commissioner Foriest Settles and take up the other matters as they are calendared.

Commissioner Romero pointed out that the Commission has previously taken up matters proposed by Commissioner Foriest Settles (on standards of conduct) where she did not vote on her own proposed rule, therefore it would not be appropriate to delay these items. Mr. Romero also remarked that there are people present for the Consent Agenda item and would like to take that item out of order to accommodate the public.

Commissioner King reiterated his motion and called for the question.

MOTION: IT WAS MOVED BY MR. KING, SECONDED BY MR. SINGH, THAT ITEMS 3(a) THROUGH 3(c) BE TAKEN UP NO EARLIER THAN 7:30 P.M. TO ALLOW MS. FORIEST SETTLES TO PARTICIPATE IN THE DEBATE, AND ON ROLL CALL THE FOLLOWING VOTED "AYE":

Mr. King
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

Mr. Dunlop
Ms. Palamountain
Mr. Romero

AND THE FOLLOWING WAS ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, THREE (3) AYES AND THREE (3) NOES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION FAILED AND ITEMS 3(a), (b) AND (c) UNDER UNFINISHED BUSINESS WILL BE HEARD ACCORDING TO THE AGENDA.

President Yee called on the Executive Director to present the matters of unfinished business.

Commissioner Romero made a motion to take up the Consent Agenda item 4 (a) first then proceed with the unfinished business. Mr. Dunlop seconded the motion.

MOTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNLOP, AND UNANIMOUSLY CARRIED, THAT CONSENT AGENDA ITEM 4(a) BE TAKEN UP FIRST.

MATTERS OF NEW BUSINESS – CONSENT AGENDA

- 4 (a) Resolution No. 28-2001, Authorizing a First Amendment to the Pre-Development Grant Agreement with Manchester Bidwell Corporation, a Pennsylvania non-profit corporation to extend the term to September 30, 2001 for pre-development work in furtherance of the Bayview Hunters Point Center for Arts and Technology Project (Baycat); Hunters Point Shipyard Project Area and Bayview Hunters Point Survey Area

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNLOP, AND UNANIMOUSLY CARRIED (MS. FORIEST SETTLES ABSENT), THAT ITEM 4(a) RESOLUTION NO. 28-2001, AUTHORIZING A FIRST AMENDMENT TO THE PRE-DEVELOPMENT GRANT AGREEMENT WITH MANCHESTER BIDWELL CORPORATION, A PENNSYLVANIA NON-PROFIT CORPORATION TO EXTEND THE TERM TO SEPTEMBER 30, 2001 FOR PRE-DEVELOPMENT WORK IN FURTHERANCE OF THE BAYVIEW HUNTERS POINT CENTER FOR ARTS AND TECHNOLOGY PROJECT (BAYCAT); HUNTERS POINT SHIPYARD PROJECT AREA AND BAYVIEW HUNTERS POINT SURVEY AREA, BE ADOPTED.

The Commission resumed discussion on the matters of unfinished business.

MATTERS OF UNFINISHED BUSINESS

Executive Director Morales presented each of the unfinished business matters.

- (a) Commission Workshop/Discussion on ground rules for Commission's conduct of Agency Business and Identification of Commission's short-term goals for the year 2001

President Yee made an opening statement that Commissioners should be use caution in speaking with the press so as to avoid controversy and disagreement among Commissioners. President Yee then opened the public comment.

Speakers: Mary Helen Rogers

Commissioner Romero commented that President Yee's earlier suggestion of a rule for Commissioners to not talk to the press may infringe on Commissioners' constitutional right of free speech and would not support such a rule.

Commission King recalled that about seven years ago, the Commission adopted a policy which delegates the Executive Director to speak to the press on behalf of and at the direction of the Commission. Mr. King stated that it is not appropriate to discuss Agency matters in the press because it creates controversy and does not serve the public well.

Commissioner Dunlop asked President Yee if he was suggesting a rule about speaking with the press to be discussed at the next meeting.

President Yee responded that he has not made any such suggestion and was merely speaking on the discussion of ground rules for the Commission.

(b) Adopting the following Standards for the Agency Commission:

- (12) Resolution No. 17-2001, Adopting a Policy that the President and Vice-President of the Commission of the Redevelopment Agency of the City and County of San Francisco provide quarterly progress reports and feedback on the Executive Director's performance.

Commissioner King stated his support for this matter and recalled that there is existing policy that provide for quarterly progress reports on the Executive Director's performance and presents it as a motion. Commissioner Singh seconded the motion.

Commissioner Romero stated his opposition to the motion because the Commission at its last meeting, adopted a policy in which the full Commission will conduct an annual evaluation of the Executive Director's performance and it is not necessary to have quarterly progress reports conducted by just the President and Vice-President.

Commissioner Dunlop reminded the Commission that it did not vote for allowing flexibility in adherence to Robert's Rules, specifically making comments prior to making a motion and suggested that the Commission must then follow Robert's Rules and discussion is only allowed after a motion is made. Mr. Dunlop stated his opposition to item (b)(12) since it would contradict an earlier resolution adopted by the Commission that provides for the entire Commission to conduct an evaluation of the Director's performance. Mr. Dunlop referred to a letter from the Mayor asking the Commission, the entire Commission to conduct an annual evaluation of the Director's performance and asked Commissioners to agree with and follow the Mayor's recommendation and vote against this matter.

Commissioner King stated his concern that Commissioner Foriest Settles, the one who suggested this rule is not present and won't arrive until 7:30 p.m. and she is not being allowed the privilege to be present when discussing a rule that she has recommended, resulting in a tie vote and the matter not being adopted.

ADOPTION: IT WAS MOVED BY MR. KING, SECONDED BY MR. SINGH THAT ITEM 3 (b)(12), RESOLUTION NO. 17-2001, ADOPTING A POLICY THAT THE PRESIDENT AND VICE-PRESIDENT OF THE COMMISSION OF THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO PROVIDE QUARTERLY PROGRESS REPORTS AND FEEDBACK ON THE EXECUTIVE DIRECTOR'S PERFORMANCE, AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. King
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

Mr. Dunlop
Ms. Palamountain
Mr. Romero

AND THE FOLLOWING WAS ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, THREE (3) AYES AND THREE (3) NOES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION FAILED.

- (13) Resolution No. 18-2001, Establishing a goal for each Agency Commissioner to visit a minimum of three project area sites annually.

Speakers: Mary Helen Rogers

ADOPTION: IT WAS MOVED BY MR. SINGH, SECONDED BY MR. DUNLOP, AND UNANIMOUSLY CARRIED (MS. FORIEST SETTLES ABSENT) THAT ITEM 3(b)(13) RESOLUTION NO. 18-2001, ESTABLISHING A GOAL FOR EACH AGENCY COMMISSIONER TO VISIT A MINIMUM OF THREE PROEJCT AREA SITES ANNUALLY, BE ADOPTED.

- (14) Resolution No. 19-2001, Establishing and Reviewing Agency Annual Goals on an on-going basis.

Speakers: Mary Helen Rogers

ADOPTION: IT WAS MOVED BY MR. SINGH, SECONDED BY MR. DUNLOP, AND UNANIMOUSLY CARRIED (MS. FORIEST SETTLES ABSENT) THAT ITEM 3(b)(14) RESOLUTION NO. 19-2001, ESTABLISHING AND REVIEWING AGENCY ANNUAL GOALS ON AN ON-GOING BASIS, BE ADOPTED.

- (15) Resolution No. 20-2001, Adopting a Policy to require an open and competitive public offering for development of public property by the Redevelopment Agency of the City and County of San Francisco.

Speakers: Mary Helen Rogers, Rev. Amos C. Brown

Commissioner Dunlop attempted to make a motion to adopt this item and President Yee admonished Commissioners to not speak until the Chair has recognized them to speak.

Commissioner Dunlop asked how a Commissioner would make a motion to adopt an item if they are not officially recognized and pointed out that the Commission would be violating Robert's Rules by debating an item prior to having a motion made.

President Yee asked the Parliamentarian for a ruling on the making of a motion.

Parliamentarian Nancy Elsner ruled that since the Agenda is a public document and has been duly noticed, there need not be a motion made to adopt the listed items on the Agenda and that the Commission can proceed with voting on the items.

Commissioner King indicated his concerns that there should be a public hearing on this matter so that everyone can have the opportunity to be heard and to have an open discussion.

Commissioner Dunlop asked the Director for a response to Mary Rogers' question regarding the effect of this public offering policy upon the timely usage of tax increment funds within a project area.

Executive Director Morales stated that the public offering policy is consistent with State law and would not affect or impact the use of tax increment funds, particularly with affordable housing development. Mr. Morales explained that the proposed policy is just a process by which Agency-owned land be publicly offered for development consistent with State laws regarding the disposition and development of public property.

Commissioner Dunlop requested a response to Rev. Amos Brown's question about the public offering policy with regard to cultural and ethnical sensitivity in the noticing and publishing of Request for Proposals.

Commissioner King interjected and commented that a Commissioner is supposed to listen to the public comment, decide upon his or her own position and vote accordingly, and to not engage the public in a question and answer dialogue.

Commissioner Palamountain stated her support for the proposed public offering policy and agreed with Rev. Amos Brown's comments of providing the widest possible distribution of notices of the Agency's distribution of land for development.

Commissioner Singh agreed with Commissioner Palamountain's comments and asked the Director for an explanation why the matter is not a public hearing.

Executive Director Morales pointed out that the Commission is in fact conducting a public hearing and explained that it is good policy to offer publicly the disposition and development of land that is owned by the Agency.

Commissioner King explained that his suggestion was for the Commission to hold a workshop on the proposed policy and then come back to vote on the matter. Mr. King pointed out that not many members of the public has had the opportunity to read the proposed policy and has provided no input. Mr. King clarified that his recommendation is to vote the matter down and conduct a public workshop on the public offering policy.

Commissioner Romero reminded his fellow Commissioners of the Mayor's letter supporting this proposed policy. Mr. Romero recalled the Commission's action about one and a half years ago when it extended the negotiation rights to Stony Hill Summit to develop Parcel EE-2 in the Bayview and that this

proposed public offering policy would have saved the Commission some controversy.

Commissioner Dunlop made a motion to continue the item for two weeks and conduct a public workshop. Commissioner Singh seconded the motion.

Commissioner Palamountain asked for an explanation as to what would be different in a public workshop.

President Yee explained that in a public workshop, there would be no action taken by the Commission.

Commissioner Romero remarked that the motion does not make sense and recommended not to vote for it.

MOTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MR. SINGH THAT ITEM 3(b)(15) BE CONTINUED FOR TWO WEEKS TO THE MEETING OF FEBRUARY 27TH, AND ON ROLL CALL, THE FOLLOWING VOTED “AYE”:

Mr. Dunlop
Mr. Singh
Mr. Romero

AND THE FOLLOWING VOTED “NAY”:

Mr. King
Ms. Palamountain
Mr. Yee

AND THE FOLLOWING WAS ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, THREE (3) AYES AND THREE (3) NOES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION FAILED.

ADOPTION: THAT ITEM 3(b)(15) RESOLUTION NO. 20-2001, ADOPTING A POLICY TO REQUIRE AN OPEN AND COMPETITIVE PUBLIC OFFERING FOR DEVELOPMENT OF PUBLIC PROPERTY BY THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF

SAN FRANCISCO, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED “AYE”:

Mr. Dunlop
Ms. Palamountain
Mr. Romero

AND THE FOLLOWING VOTED “NAY”:

Mr. King
Mr. Singh
Mr. Yee

AND THE FOLLOWING WAS ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, THREE (3) AYES AND THREE (3) NOES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION FAILED.

- 3 (c) Resolution No. 21-2001, Appointing a three-member committee of the Agency to review and make recommendations to the Agency regarding the Agency Personnel Policies.

President Yee made an opening remark stating that the three-member committee of the Commission to review the Agency’s Personnel Policy has been in existence for a long time and disagrees with the Director’s recommendation.

Commissioner Romero stated that as a long-time labor lawyer, he thought that it is not appropriate for the Commission to establish a committee to review the Agency’s personnel policy until such time as the collective bargaining negotiations with the employees is completed. Mr. Romero reiterated his opposition to this proposed policy.

Commissioner King pointed out that this committee has nothing to do with labor negotiations and the specific purpose of this three-member committee is to review the Agency’s personnel policy. Mr. King explained that the Agency has experienced many changes and turnover of staff and it is appropriate to review the Agency’s personnel policy. Mr. King remarked that the Agency has lost about 22 people and recalled that just a year ago, there was a three-member committee comprising of himself, Lynette Sweet and Mark Dunlop

reviewing the personnel policy. Mr. King again pointed out that Commissioner Foriest Settles is not here to speak on this item, in which she would be a member of such committee. Mr. King stated that this committee will not interfere with the labor negotiations and that the President has the right to appoint this committee of the Commission to review the personnel policy. Mr. King commented that this item will be deadlocked because there are only six Commissioners present and the item will fail on a tie vote.

Commissioner Singh suggested that the matter be postponed since Commissioner Foriest Settles is not here and she has the expertise on personnel matters as the head of the BART's personnel.

Commissioner Dunlop remarked that he could not recall a time when the Commission had to delay action on matters when Commissioners were not present. Mr. Dunlop pointed out that the Commission should await reviewing the personnel policy until negotiations with the Employees' Association is concluded.

Commissioner Dunlop made a motion to table the item until the labor negotiations are concluded. Commissioner Palamountain seconded the motion.

MOTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MS. PALAMOUNTAIN, THAT ACTION ON ITEM 3(c), RESOLUTION NO. 21-2001, APPOINTING A THREE MEMBER COMMITTEE OF THE AGENCY TO REVIEW AND MAKE RECOMMENDATIONS TO THE AGENCY REGARDING THE AGENCY PERSONNEL POLICIES, BE POSTPONED UNTIL SUCH TIME AS THE LABOR NEGOTIATIONS ARE CONCLUDED, AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Ms. Palamountain
Mr. Romero

AND THE FOLLOWING VOTED "NAY":

Mr. King
Mr. Singh
Mr. Yee

AND THE FOLLOWING WAS ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, THREE (3) AYES AND THREE (3) NOES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION FAILED.

Commissioner Romero explained that he has had 20 years experience as a labor lawyer and has over 100 published decisions in which he was lead attorney on labor matters. Mr. Romero spoke of the Myers-Millias Brown Act and the National Labor Relations Board and Employees Relations Act and advised that it is not wise for the Commission to change the Agency's personnel policy at this time. Mr. Romero stated that he is not against appointing such a committee, but not at this time.

Commissioner King stated that there is nothing in the laws that prevents the Commission from appointing a three-member committee to review the personnel policy. Mr. King again pointed out that the Commission has to review the Agency's programs and policies because over 20 employees has left the Agency in the last year and a half and this has nothing to do with the labor negotiations. Mr. King referred to the Shannon Study of the Agency's job classifications conducted many years ago.

President Yee stated that he was glad that the public can witness the Commissioners' discussion on this matter. Mr. Yee shared his previous experience in State government where as Chairman of the Contracting State Licensing Board, he appointed a five-person committee. Mr. Yee stated his support for adoption of this item 3(c).

MOTION: IT WAS MOVED BY MR. KING, SECONDED BY MR. SINGH, THAT ITEM 3(c), RESOLUTION NO. 21-2001, APPOINTING A THREE MEMBER COMMITTEE OF THE AGENCY TO REVIEW AND MAKE RECOMMENDATIONS TO THE AGENCY REGARDING THE AGENCY PERSONNEL POLICIES, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. King
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

Mr. Dunlop
Ms. Palamountain
Mr. Romero

AND THE FOLLOWING WAS ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, THREE (3) AYES AND THREE (3) NOES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION FAILED.

At this time, President Yee called for a five-minute break.

- 3 (d)** Resolution No. 27-2001, Approving the Schematic Design for The Commons Open Space Parcels P16 & P17 in Mission Bay South pursuant to an Owner Participation Agreement with Catellus Development Corporation; Mission Bay South Redevelopment Project Area

Executive Director Morales reminded the Commission that this would be the appropriate time for the Commissioners who have received outside contacts to disclose such contacts.

Commissioners Romero and Singh advised the Agency Secretary of contacts they have received on this matter.

Presenters: Tiffany Bohee (Agency staff), Amy Coburn (Catellus), Cliff Lowe (Architect)

Commissioner Singh asked if there were any Indian contractors working on the development.

Commissioner Dunlop asked for a definition of a "Class 3 Bicycle Route." Mr. Dunlop also asked about the exact timing for completion of the park.

Commissioner Palamountain asked about the location of the MUNI bus line within the diagram of the park.

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNLOP, AND UNANIMOUSLY CARRIED (MS. FORIEST SETTLES ABSENT) THAT ITEM 3(d) RESOLUTION NO. 27-2001, APPROVING THE SCHEMATIC DESIGN FOR THE COMMONS OPEN SPACE PARCELS P16 & P17 IN MISSION BAY SOUTH PURSUANT TO AN OWNER PARTICIPATION AGREEMENT WITH CATELLUS DEVELOPMENT CORPORATION; MISSION BAY SOUTH REDEVELOPMENT PROJECT AREA, BE ADOPTED.

NEW BUSINESS – REGULAR AGENDA

President Yee suggested that items 4(c) and (d) be taken up before item 4(b) because of residents who are present and without objection, the Commission considered items 4(c) and (d) first under the Regular Agenda.

Items 4(c) and (d) are related and were presented together and acted upon separately by the Commission.

- 4 (c) Resolution No. 30-2001, Expressing the Intent of the Redevelopment Agency of the City and County of San Francisco to Issue Multifamily Mortgage Revenue Bonds in one or more series to finance Residential Facilities at Ocean Beach Apartments, 740 La Playa Street, pursuant to the Housing Preservation Program, for Redevelopment Purposes in an amount not to exceed \$15,000,000; Citywide Housing Program
Presenters: Kate Hartley (Agency staff)

Speakers: Mary Helen Rogers

Commissioner Singh asked how many seniors are at the housing development. Mr. Singh asked what assurance is there that the senior residents will not be kicked-out of the development. Mr. Singh asked if the Ocean Beach area is a blighted area.

Commissioner King asked if the developer, A. F. Evans will be guaranteeing the mortgage on the development and if the Section 8 subsidies will be maintained.

Commissioner Dunlop commended staff on their great work in preserving the affordable housing units. Mr. Dunlop asked about the process of selecting the non-profit developers. Mr. Dunlop inquired if there is a residents association and if not, will be there be one formed. He also asked about the 15-year guaranteed affordability.

Commissioner Palamounain asked if the property management arm of the developer, A. F. Evans will be managing the development.

President Yee remarked that this is a wonderful project as it creates and preserves more affordable housing for lower income people. Mr. Yee asked about the cost of reimbursement of the developers' expenditures.

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNLOP, AND UNANIMOUSLY CARRIED (MS. FORIEST SETTLES ABSENT) THAT ITEM 4 (c) RESOLUTION NO. 30-2001, EXPRESSING

THE INTENT OF THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO TO ISSUE MULTIFAMILY MORTGAGE REVENUE BONDS IN ONE OR MORE SERIES TO FINANCE RESIDENTIAL FACILITIES AT OCEAN BEACH APARTMENTS, 740 LA PLAYA STREET, PURSUANT TO THE HOUSING PRESERVATION PROGRAM, FOR REDEVELOPMENT PURPOSES IN AN AMOUNT NOT TO EXCEED \$15,000,000; CITYWIDE HOUSING PROGRAM, BE ADOPTED.

- 4 (d) Resolution No. 31-2001, Authorizing the Executive Director to: (1) Enter into an assignment agreement with A.F. Evans Company, Incorporated, a California Corporation, in conjunction with the purchase of land at 740 La Playa Street; and (2) enter into an agreement to guarantee the payment of certain mortgage revenue bonds in an amount not to exceed \$3,500,000; and related actions and documents to enable the acquisition and renovation of the Ocean Beach Apartments, all as part of the Agency's Housing Preservation Program, Citywide Tax Increment Housing Program

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNLOP, AND UNANIMOUSLY CARRIED (MS. FORIEST SETTLES ABSENT) THAT ITEM 4 (d), RESOLUTION NO. 31-2001, AUTHORIZING THE EXECUTIVE DIRECTOR TO: (1) ENTER INTO AN ASSIGNMENT AGREEMENT WITH A.F. EVANS COMPANY, INCORPORATED, A CALIFORNIA CORPORATION, IN CONJUNCTION WITH THE PURCHASE OF LAND AT 740 LA PLAYA STREET; AND (2) ENTER INTO AN AGREEMENT TO GUARANTEE THE PAYMENT OF CERTAIN MORTGAGE REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$3,500,000; AND RELATED ACTIONS AND DOCUMENTS TO ENABLE THE ACQUISITION AND RENOVATION OF THE OCEAN BEACH APARTMENTS, ALL AS PART OF THE AGENCY'S HOUSING PRESERVATION PROGRAM, CITYWIDE TAX INCREMENT HOUSING PROGRAM, BE ADOPTED.

At this time, approximately 7:00 p.m., Commissioner Foriest Settles arrives.

- 4 (b) Resolution No. 29-2001, Conditionally Approving the Schematic Design for the Jessie Square Garage (located below Jessie Square and the Jewish Museum parcel, the north side of Mission Street between Third and Fourth Streets) by CB-1 Entertainment Partners L.P., a California limited partnership; Yerba Buena Center Redevelopment Project Area

Presenters: William Carney (Agency staff)

Speakers: Lorraine Garcia-Nakata, Tom Peterson, Connie Wolf, John Elberling

Commissioner Singh asked about the income from the proposed garage.

Commissioner Dunlop reported contact from Connie Wolf of the Jewish Museum and complemented staff on the excellent work.

Commissioner King commended Helen Sause for all her good work in all the years she worked on Yerba Buena Center.

Commissioner Palamountain inquired about the Transfer of Development Rights affecting this development. Ms. Palamountain asked about the truck loading and egress from the garage and suggested that there should be provided pedestrian warning signs at the garage exit areas.

Commissioner Foriest Settles acknowledged the Organization's excellent work and shared her concern about mass transit and providing additional parking spaces. Ms. Foriest Settles suggested to work with BART and other public transit providers to improve transit in the area. She asked about the time line for the next phase of work for the garage.

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNLOP, AND UNANIMOUSLY CARRIED THAT ITEM 4 (b), RESOLUTION NO. 29-2001, CONDITIONALLY APPROVING THE SCHEMATIC DESIGN FOR THE JESSIE SQUARE GARAGE (LOCATED BELOW JESSIE SQUARE AND THE JEWISH MUSEUM PARCEL, THE NORTH SIDE OF MISSION STREET BETWEEN THIRD AND FOURTH STREETS) BY CB-1 ENTERTAINMENT PARTNERS L.P., A CALIFORNIA LIMITED PARTNERSHIP; YERBA BUENA CENTER REDEVELOPMENT PROJECT AREA, BE ADOPTED.

4 (e) Workshop on the Agency's Fiscal year 2001/2002 Proposed Budget

Presenters: Mario Menchini, Olson Lee, Jose Campos, Stan Muraoka, William Carney

Speakers: Antoinetta Stadlman (SOMPAC), Anthony Palmroth (6th Street resident), Amelita Pascual (SOMPAC)

Commissioner King shared his concern that only members of the South of Market PAC are present at the budget workshop, and none from the other PACs from Mid-Market and Bayview. Mr. King requested information on the India Basin development of Group I and the referenced Plan Amendment.

Commissioner Dunlop echoed Commissioner King's comments about presence from the PACs. Mr. Dunlop commented that the Agency should

look to identifying office/commercial space for non profit organizations. Mr. Dunlop thanked the Housing staff for their good work and dedication.

Commissioner Romero thanked staff for very informative presentation. Commissioner Foriest Settles spoke of the PAC members lack of presence in the budget workshop and commented that proposed programs seem extremely ambitious and had concerns about staffing levels. Ms. Foriest Settles asked if the series of projects that the Mayor outlined when he addressed the Commission are covered in the Agency's proposed budget. She also asked for clarification if the Agency lost two positions in the last budget cycle. Ms. Foriest Settles stated her delight that discussion on transportation issues and coordination are included in the budget.

4 (f) Workshop on Transbay Redevelopment Survey Area

Presenters: Jose Campos, David Habert (Agency staff), Maria Ayerdi (Mayor's Office), Karen Alschuler (SMWM)

Commissioner Foriest Settles shared that she was present when Ms. Ayerdi made a presentation at BART and thanked staff for an informative presentation.

Commission Dunlop thanked staff for a great presentation and happy to see the many parties getting together to work on Transbay.

Commissioner Romero thanked staff for an excellent presentation.

President Yee commended staff with their presentation.

REPORT OF THE PRESIDENT

- President Yee asked about an information memorandum dated January 31st on housing preservation, specifically why for profit developers were excluded.
- Attended Mexican Museum exhibit on Sunday, February 11th.

REPORT OF THE EXECUTIVE DIRECTOR

- Informed the Commission that a meeting has been arranged with Rincon Center tenants on Thursday, February 15th.
- Reported that the Dolphin P. Rempp ship restaurant has limited duration and a short-term lease with the Port of San Francisco.
- Reported that the Bargaining Unit have selected an arbitrator.

COMMISSIONERS' QUESTIONS AND MATTERS

- Commissioner Singh inquired about the Rempp ship restaurant, specifically the lease and how much.
- President Yee asked what the base rent is for the ship restaurant.
- Commissioner Romero asked who the arbitrator was (Joe Freitas)
- Commissioner Foriest Settles reported contact from Kimberly Smith regarding the Ocean Beach project.
- Commissioner Singh also report contact from Kimberly Smith.

CLOSED SESSION:

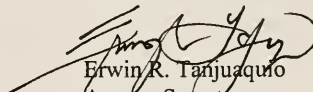
This closed session item (a) was continued to the February 20th meeting.

- (a) Pursuant to Government Code § 54956.8 to instruct the Agency's real property negotiator with respect to terms of payment regarding ground lease with Fillmore Renaissance Associates LLP, Parcel 732-A; Western Addition A-2 Redevelopment Project Area. Agency negotiators: Shirley Wysinger, Darby Kremers and Ricky Tijani.
- (b) Pursuant to Government Code §54956.8 to instruct the Agency's real property negotiators with respect to price and terms of payment. The property is the Minna Lee Hotel located at 139-149 Sixth Street, Assessor Block No. 3725, Lot 063; South of Market Earthquake Recovery Redevelopment Project Area and the owner of the property with whom the Agency may negotiate with is Kiran Patel. Agency negotiators: Olson Lee, Darby Kremers, Bill Carney, Al Luis and Vanessa Dandridge.
- (c) Pursuant to Government Code § 54956.8 to instruct the Agency's real property negotiators with respect to terms of an Owner Participation Agreement with Epsrit de Corp regarding Parcel X4; Mission Bay South Redevelopment Project Area; Agency negotiators: Amy Neches and Darby Kremers.

ADJOURNMENT

It was moved by Mr. Dunlop, seconded by Mr. King, and unanimously carried that the meeting be adjourned. The meeting adjourned at 11:05 p.m.

Respectfully submitted,


Erwin R. Tanjuaquino
Agency Secretary

APPROVED:

April 3, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
20TH DAY OF FEBRUARY 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 20th day of February, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Benny Y. Yee, President
Leroy King, Vice President
Mark Dunlop
Kathryn C. Palamountain
Ramon E. Romero
Michal Foriest Settles (departs @ 7:55 p.m.)
Darshan Singh (arrives @ 4:05 p.m.)

and the following was absent:

None

The President declared that a quorum was present.

James B. Morales, Executive Director, and staff members were also present.
Nancy Elsner, Parliamentarian was also present.

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MATTERS OF NEW BUSINESS – CONSENT AGENDA

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- 4 (a) Resolution No. 32-2001, Authorizing a Seventh Amendment to the Disposition and Development Agreement with the Japanese American Religious Federation Assisted Living Facility, Inc., a California nonprofit public benefit corporation, to revise the Schedule of Performance regarding the purchase and development of Parcel 674-C & F, located on the southeast corner of Bush and Laguna Streets; Western Addition Redevelopment Project Area A-2

ADOPTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MR. ROMERO, THAT CONSENT AGENDA ITEM 4(a) RESOLUTION NO. 32-2001, AUTHORIZING A SEVENTH AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT WITH THE JAPANESE AMERICAN RELIGIOUS FEDERATION ASSISTED LIVING FACILITY, INC., A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION, TO REVISE THE SCHEDULE OF PERFORMANCE REGARDING THE PURCHASE AND DEVELOPMENT OF PARCEL 674-C & F, LOCATED ON THE SOUTHEAST CORNER OF BUSH AND LAGUNA STREETS; WESTERN ADDITION REDEVELOPMENT PROJECT AREA A-2, BE ADOPTED, AND ON ROLL CALL, THE FOLLOWING VOTED “AYE”:

Mr. King
Mr. Dunlop
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

None

AND THE FOLLOWING WAS ABSENT.

Mr. Singh

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT (MR. SINGH).

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION NO. 32-2001 IS ADOPTED.

NEW BUSINESS – REGULAR AGENDA

At this time, 4:05 p.m., Commissioner Singh arrives.

- 4 (b)** Resolution No. 33A-2001, Authorizing the Executive Director to enter into an Assignment and Assumption Agreement with Chinatown Community Development Corporation, a California nonprofit public benefit corporation, in conjunction with the purchase of land at 1776 Sutter Street; Western Addition A-2 Project Area

Resolution No. 33B-2001, Authorizing the Executive Director to enter into and execute a Tax Increment Grant Agreement with Chinatown Community Development Corporation, a California nonprofit public benefit corporation for an amount not to exceed \$180,000 for predevelopment activities associated with the Acquisition and Rehabilitation of The Namiki Apartments at 1776 Sutter Street; Western Addition A-2 Project Area.

Presenters: Elizabeth Colomello (Agency staff)

Speakers: Masako Iwase, Gordon Chin, Judi Nihei, Jennifer Susskind

Commissioners Palamountain and Dunlop stated their support for the project.

Commissioner Foriest Settles asked if there were any other method other than a grant (\$180,000 grant to Chinatown Community Development Corp.). Ms. Foriest Settles also inquired about the parking space allocation.

Commissioner Singh commended Mr. Gordon Chin for his good work.

Commissioner Romero stated his support, but shared his concern about the Agency not having a public offering policy with the Commission voting down the earlier proposed policy and suggested that the Commission consider placing the matter back on the Agenda. Mr. Romero thanked the tenants for coming to the meeting.

Commissioner King stated his support for the project and indicated that he disagreed with the Executive Director's recommendation. Mr. King remarked that the Commission should set a policy regarding developer selection.

President Yee stated that sharing one's concerns about a project does not mean non-support for that particular project. Mr. Yee advised that staff should follow procedures for developer selection. Mr. Yee commented that \$9 million is a lot of money and shared his discomfort with the tenants selecting the developer. Mr. Yee remarked that with the size of the project, there should have been a competitive process. Mr. Yee inquired if the appraisal of the property is on file, if there was a developer fee being charged, if there was an outside real estate broker consulted, if there was a purchase agreement and asked if the \$180,000 was the original request.

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MS. PALAMOUNTAIN, THAT ITEM 4 (b) RESOLUTION NO. 33A-2001, AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO AN ASSIGNMENT AND ASSUMPTION AGREEMENT WITH CHINATOWN COMMUNITY DEVELOPMENT CORPORATION, A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION, IN CONJUNCTION

WITH THE PURCHASE OF LAND AT 1776 SUTTER STREET;
WESTERN ADDITION A-2 PROJECT AREA, AND RESOLUTION NO.
33B-2001, AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER
INTO AND EXECUTE A TAX INCREMENT GRANT AGREEMENT
WITH CHINATOWN COMMUNITY DEVELOPMENT CORPORATION,
A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION FOR
AN AMOUNT NOT TO EXCEED \$180,000 FOR PREDEVELOPMENT
ACTIVITIES ASSOCIATED WITH THE ACQUISITION AND
REHABILITATION OF THE NAMIKI APARTMENTS AT 1776 SUTTER
STREET; WESTERN ADDITION A-2 PROJECT AREA AND, BE
ADOPTED, AND ON ROLL CALL, THE FOLLOWING VOTED “AYE”:

Mr. King
Mr. Dunlop
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

None

AND THE FOLLOWING WAS ABSENT.

None

**THE SECRETARY DECLARED THE RESULTS OF THE ROLL
CALL VOTE, SEVEN (7) AYES.**

**THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION
NO. 33-2001 IS ADOPTED.**

4 (c) Workshop on the Agency's FY 2001/02 Budget

Presenters: Mario Menchini, Don Capobres, Amy Neches, Shirley Wysinger,
Ora Williams (Agency Staff), Scott Madison, Bob Legallet
(HPSY
CAC), Dorris M. Vincent (BVHP PAC)

Speakers: Judi Nihei, Emily Rogers, David Ishida, Carmen Johnson

Commissioner Palamountain inquired about the cost of acquiring the Central Freeway parcels and the Agency's debt service for the next five years. Ms. Palamountain asked about Japantown Task Force's request for \$150,000 and why it is not included in the Agency's proposed budget. Ms. Palamountain stated that she supports community work and involvement and made a motion to include Japantown Task Force's request for \$150,000 and the Hunters Point Shipyard CAC's request for \$75,000 in the Agency's proposed budget.

Commissioner Dunlop seconded Ms. Palamountain's motion and inquired about staff's evaluation of the Shipyard CAC and Japantown Task Force's work.

Commissioner Foriest Settles inquired about expenses for community events as well as discretionary funds identified in the proposed budget.

Commissioner Singh stated his support of Ms. Palamountain's motion. Mr. Singh asked about the Agency's organization chart, specifically the legal staff and the public affairs officer. Mr. Singh also inquired about the PAC and CAC's expenses and asked who appointed members of the PAC and CAC.

Commissioner King spoke against the motion. Mr. King stated that Bayview already has a PAC whose members were elected by the community to represent the Bayview. Mr. King pointed out that the CAC is voluntary and members were appointed by the Mayor and commented that these are two competing groups. Mr. King stated that it is not appropriate for the Agency to fund CAC's and remarked that when the PAC was elected, it replaced the CAC.

Commissioner Romero stated his support for the motion and commended both the Shipyard CAC and Japantown Task Force good work and should get assistance from the Agency.

MOTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MR. DUNLOP, TO INCLUDE IN THE AGENCY'S PROPOSED BUDGET FOR FISCAL YEAR 2001/2002 THE REQUESTED AMOUNTS FROM THE JAPANTOWN TASK FORCE OF \$150,000 AND THE HUNTERS POINT SHIPYARD CITIZEN ADVISORY COMMITTEE OF \$75,000, AND ON ROLL CALL THE FOLLOWING VOTED "AYE":

Mr. King
Mr. Dunlop
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

None

AND THE FOLLOWING WAS ABSENT.

None

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SEVEN (7) AYES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION CARRIED.

- 4 (d)** Informational workshop to present the proposed Open Space Program component of the proposed Bayview Hunters Point Redevelopment Plan to the Commission; Bayview Hunters Point Redevelopment Survey Area

Presenters: Stan Muraoka (Agency Staff), Muhammad Nuru (BVHP PAC)

Speakers: Dorris M. Vincent, Carmen Johnson, Bob Legallet, Cheryl Towns

Commissioner Foriest Settles stated that she was glad to see the community in attendance at the meeting.

Commissioner Dunlop remarked that it was great to hear from the public and that he was happy that the Agency and the community are working together.

PERSONS WISHING TO ADDRESS THE MEMBERS ON NON-AGENDA, BUT AGENCY RELATED MATTERS.

Peter Graham Cohn, Muhammad Nuru

REPORT OF THE PRESIDENT

- President Yee shared his delight about a magnificent tour he and Commissioner Foriest Settles had of the Yerba Buena Center Project Area and complemented Bill Carney for an outstanding job.
- Mr. Yee announced that he was appointing a three-member committee of the Commission comprised of himself, Mr. King and Ms. Foriest Settles (as Chair) to review the Agency’s personnel policy.
- Mr. Yee made a suggestion that the adopted Disclosure Policy should be amended to substitute “Officers” for “Executive Staff.”

REPORT OF THE EXECUTIVE DIRECTOR

- Informed the Commission about the Agape Outreach evaluation
- Met with Rincon Center tenants and reported that progress is being made on a revised Housing Plan and hoping for tenants' support.
- Announced the hiring of a new Senior Civil Engineer

COMMISSIONERS' QUESTIONS AND MATTERS

- Commissioner Romero requested a legal opinion regarding the Chair's authority to appoint a three-member committee of the Commission to review the Agency's Personnel Policy. Mr. Romero pointed out that he was not against the appointment of a committee, but at the appropriate time.
- President Yee stated that he verified the Chair's authority to appoint a committee with the Governor's Counsel as well as the City Attorney.
- Commissioner Foriest Settles requested copies of the presentation materials for the Hunters Point Shipyard and thanked Bill Carney for the Yerba Buena Center project tour.
- Commissioner Singh stated that he would like to visit all of the Agency's project areas and requested that arrangements be made.
- Commissioner Dunlop pointed out that last year when there was a committee of the Commission, it met only once and did not meet in deference to the labor negotiations that was going on and opined that it was not appropriate to have such a committee at this time.
- Commissioner Romero pointed out that the Commission had already discussed, deliberated and took action on the committee matter.
- Commissioner King pointed out that the President has the right and authority to appoint such a committee.
- Commissioner Palamountain stated that the Commission has spent too much time on procedural matters and that it was not productive.
- President Yee made a motion to place on the March 6th meeting agenda, the establishment of a three-member committee of the Commission to review the Agency's Personnel Policy.
- Commissioner Romero challenged the Chair and questioned if the Chair can make a motion.
- Parliamentarian Nancy Elsner ruled that the Chair can make a motion, second a motion and has every right as every other member, the only difference is that the Chair is presiding over the meeting.

MOTION: IT WAS MOVED BY PRESIDENT YEE, SECONDED BY MR. KING, TO PLACE ON THE MARCH 6TH MEETING AGENDA, THE ESTABLISHMENT OF A THREE-MEMBER COMMITTEE OF THE COMMISSION TO REVIEW THE AGENCY'S PERSONNEL POLICY, AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. King
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

Mr. Dunlop
Ms. Palamountain
Mr. Romero

AND THE FOLLOWING WAS ABSENT.

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FOUR (4) AYES AND THREE (3) NOES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION CARRIED.

CLOSED SESSION:

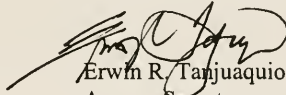
Closed session item (a) was continued to the February 27th meeting.

- (a) Pursuant to Government Code § 54956.8 to instruct the Agency's real property negotiator with respect to terms of payment regarding ground lease with Fillmore Renaissance Associates LLP, Parcel 732-A; Western Addition A-2 Redevelopment Project Area. Agency negotiators: Shirley Wysinger, Darby Kremers and Ricky Tijani.
- (b) Pursuant to Government Code §54956.9(c), Conference with Legal Counsel regarding initiation of litigation: one potential case.

ADJOURNMENT

It was moved by Mr. King, seconded by Mr. Romero, and unanimously carried that the meeting be adjourned. The meeting adjourned at 8:15 p.m.

Respectfully submitted,



Erwin R. Tanjuaquio
Agency Secretary

APPROVED:

April 17, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
27TH DAY OF FEBRUARY 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 27th day of February, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Benny Y. Yee, President
Leroy King, Vice President
Kathryn C. Palamountain
Ramon E. Romero
Michal Foriest Settles

and the following was absent:

Mark Dunlop
Darshan Singh

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The President declared that a quorum was present.

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James B. Morales, Executive Director, and staff members were also present.
Nancy Elsner, Parliamentarian was also present.

MATTERS OF NEW BUSINESS – CONSENT AGENDA

4 (a) Approval of Minutes: Meeting of January 9, 2001

President Yee instructed the Agency Secretary to revise the January 9th minutes (page 8), under "Commissioners' Questions and Matters" to reflect that both Commissioners Dunlop and Romero did not wish their photographs to be posted in the Agency offices.

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MS. FORIEST SETTLES, AND UNANIMOUSLY CARRIED (MR. DUNLOP AND MR. SINGH ABSENT), THAT CONSENT AGENDA ITEM 4(a), MEETING MINUTES OF JANUARY 9, 2001, AS AMENDED BE ADOPTED.

NEW BUSINESS – REGULAR AGENDA

- 4 (b)** Presentation of the Agency's Audited financial Statements for Fiscal Year ending June 30, 2000

Presenters: Lily Louie (Agency Staff), Bob Griffin (KPMG, Williams Adley & Co.)

Commissioner Foriest Settles inquired about the Government Accounting Standards Board (GASB) and what the Agency had to do to comply and if the Agency's contractors have to comply with GASB. Ms. Foriest Settles also asked if the consultant (KPMG) is assisting staff with new regulations.

- 4 (c)** Resolution No. 34-2001, Approving the Agency's Proposed Budget for the period of July 1, 2001 through June 30, 2002 and Authorizing the Executive Director to submit the Budget to the Mayor's Office

Presenters: Mario Menchini (Agency Staff)

Speakers: Marty Cerles, Antoinetta Stadlman (SOM PAC), Judi Nihei (Japantown Task Force), Alma Robinson (HPSY CAC)

Commissioner Romero asked about the South of Market budget of \$5 million for non-profit office space within South of Market and Yerba Buena Center.

Commissioner King pointed out that the Agency Director's salary is more compared to that of the City Planning Director and the same is true with legal staff. Mr. King stated that he was against the proposed salary raises of five percent for staff. Mr. King remarked that he was opposed to the \$75,000 funding for the Hunters Point Shipyard CAC and pointed out that the CAC was appointed by the Mayor and that the Agency already pays for Willie Kennedy to oversee the Shipyard.

President Yee agreed with Mr. King and objected to the staffing level of the Agency's legal division.

Commissioner Foriest Settles asked if the five- percent salary raise is a placeholder in the proposed budget. Ms. Foriest Settles inquired about other City departments' budget submittal that the Agency goes through the same process. Ms. Foriest Settles asked if SEIU members received the same salary raise percentage as the City employees.

Commissioner King commented that the Agency no longer receives Federal funding and that there are no longer traditional projects as in previous years and that the Agency should be in line with the City, particularly when the Agency's budget comes out of the City's general fund.

Commissioner Foriest Settles asked if future proposed salary increases are going to be before the Commission. Ms. Foriest Settles suggested to include in the budget resolution the amount that the Agency is requesting for 2001/2002.

Commissioner Palamountain pointed out that staffing level for the legal division will result in long term savings for the Agency by not hiring outside legal consultants.

Commissioner King stated his opposition to the proposed budget and said that he would submit a minority opposition report to the Finance Committee of the Board of Supervisors.

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MR. ROMERO, THAT ITEM 4 (c) RESOLUTION NO. 34-2001, APPROVING THE AGENCY'S PROPOSED BUDGET FOR THE PERIOD OF JULY 1, 2001 THROUGH JUNE 30, 2002 AND AUTHORIZING THE EXECUTIVE DIRECTOR TO SUBMIT THE BUDGET TO THE MAYOR'S OFFICE, BE ADOPTED AND ON ROLL CALL THE FOLLOWING VOTED "AYE":

Ms. Palamountain
Mr. Romero
Ms. Foriest Settles

AND THE FOLLOWING VOTED "NAY":

Mr. King
Mr. Yee

AND THE FOLLOWING WAS ABSENT.

Mr. Dunlop
Mr. Singh

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, THREE (3) AYES AND TWO (2) NOES.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 34-2001 IS ADOPTED.

NOTE: Items 4 (d) and (e) are related matters and were presented together, but acted upon separately by the Commission.

Presenters: Amy Neches (Agency Staff), Amy Coburn (Catellus), Steve Perry (Architect)

- 4 (d)** Resolution No. 35-2001, Approving the Amended Block N2 Major Phase for part of the site bounded by King, Berry, Third and Fourth Streets in the Mission Bay North Redevelopment Project Area pursuant to an Owner Participation Agreement with Catellus Development Corporation; Mission Bay North Redevelopment Project Area

Commissioner Romero asked if the proposed development has changed from strictly residential use to a mixed-use project.

Commissioner Foriest Settles inquired as to why the proposed use is changing from office/retail to a residential mixed-use project and asked if the change in use is more economically viable. Ms. Foriest Settles asked how much the units would sell for and requested information about financial impact and assumptions. Ms. Foriest Settles inquired about the building material and asked if it was graffiti-proof.

Commissioner Palamountain asked if the original Commission approval is consistent with the Owner Participation Agreement with Catellus and complemented the architects for a great design.

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MR. KING, THAT RESOLUTION NO. 35-2001, APPROVING THE AMENDED BLOCK N2 MAJOR PHASE FOR PART OF THE SITE BOUNDED BY KING, BERRY, THIRD AND FOURTH STREETS IN THE MISSION BAY NORTH REDEVELOPMENT PROJECT AREA PURSUANT TO AN OWNER PARTICIPATION AGREEMENT WITH CATELLUS DEVELOPMENT CORPORATION; MISSION BAY NORTH REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. King
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

None

AND THE FOLLOWING WAS ABSENT.

Mr. Dunlop
Mr. Singh

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FIVE (5) AYES (MR. DUNLOP AND MR. SINGH ABSENT).

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 35-2001 IS ADOPTED.

- 4 (e) Resolution No. 36-2001, Conditionally Approving the Combined Basic Concept and Schematic Design for the Mixed-Use Project on Parcel 1 of Block N2, bounded by King, Berry, Third and Fourth Streets, pursuant to an Owner Participation Agreement with Catellus Development Corporation; Mission Bay North Redevelopment Project Area.

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MR. KING, THAT RESOLUTION NO. 36-2001, CONDITIONALLY APPROVING THE COMBINED BASIC CONCEPT AND SCHEMATIC DESIGN FOR THE MIXED-USE PROJECT ON PARCEL 1 OF BLOCK N2, BOUNDED BY KING, BERRY, THIRD AND FOURTH STREETS, PURSUANT TO AN OWNER PARTICIPATION AGREEMENT WITH CATELLUS DEVELOPMENT CORPORATION; MISSION BAY NORTH REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED “AYE”:

Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. King
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

None

AND THE FOLLOWING WAS ABSENT.

Mr. Dunlop

Mr. Singh

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FIVE (5) AYES (MR. DUNLOP AND MR. SINGH ABSENT).

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 36-2001 IS ADOPTED.

At this time, President Yee announced that the previous vote approving the Agency’s proposed Budget, Resolution No. 34-2001, failed and is not adopted. Mr. Yee explained that following a private consultation with the Parliamentarian Nancy Elsner, approval of the budget or any other matter requires a majority vote of the Commission to be adopted. Mr. Yee asked Ms. Elsner to clarify and explain.

Parliamentarian Nancy Elsner stated that a majority means a majority of the seats, which in the Agency Commission’s case, that would be seven (7) seats, and therefore require four (4) votes to adopt a motion. She added that it does not matter if one or two members are absent and that a majority vote consists of four (4) affirmative votes.

President Yee reiterated that the previous vote on the budget failed and will have to be reconsidered by the full Commission with all the Commissioners present.

Commissioner King recommended to submit the Agency’s budget as is to the Mayor.

Commissioner Foriest Settles requested the Parliamentarian that as she observes the deliberation of the Commission, to advise the Commission of any irregularities or necessary rulings on procedures. Ms. Foriest Settles asked that consultation (with the Parliamentarian) during a meeting on procedural matters be done with the full Commission and not just one Commissioner.

Commissioner Palamountain asked if the Agency’s by-laws or State law say anything about voting on matters before the Commission.

Executive Director James B. Morales attempted to respond to Commissioner Palamountain's query, but President Yee did not allow the Director to respond.

Commissioner Romero asked if the budget resolution passed.

President Yee responded, "No, it failed."

Commissioner Palamountain requested a five-minute break as a point of personal privilege, but President Yee denied the request.

- 4 (f) Resolution No. 37-2001, Authorizing a Third Amendment to the Personal Services contract with Agape Outreach Center, a California nonprofit public benefit corporation, extending the term of the contract to February 28, 2001 and increasing the amount of the contract by an amount not to exceed \$182,238.44 for a total aggregate amount not to exceed \$369,516.44; as part of the Agency's Housing Preservation Program.

Presenters: Gaynell Armstrong (Agency staff)

Speakers: L. P. Lewis, Carmen Johnson, Essie Collins

Commissioner King commended Agape for its good work in the community.

Commissioner Foriest Settles asked if Agape is securing independent funding and if so, asked why such fundraising efforts are not reflected in the proposed contract. Ms. Foriest Settles asked how many people are employed in Agape and inquired as to the tenure of the contract.

Commissioner Romero asked if this was the second or third year of funding Agape and inquired as to how extensive Agape's efforts have been in securing other funding.

Commissioner Palamountain thanked Ms. Armstrong and Agape for a thorough evaluation of the issues. Ms. Palamountain asked about the quarterly newsletter, if it was bilingual or multi-lingual and if Agape has hired translators. Mr. Palamountain remarked that there should be focus on non-profit, Section 8 housing preservation in developing more affordable housing in the City.

ADOPTION: IT WAS MOVED BY MR. KING, SECONDED BY MS. FORIEST SETTLES, THAT RESOLUTION NO. 37-2001, AUTHORIZING A THIRD AMENDMENT TO THE PERSONAL SERVICES CONTRACT WITH AGAPE OUTREACH CENTER, A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION, EXTENDING THE TERM OF THE CONTRACT TO FEBRUARY 28, 2001 AND INCREASING THE AMOUNT OF THE CONTRACT BY AN AMOUNT NOT TO EXCEED \$182,238.44 FOR A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$369,516.44; AS PART OF THE AGENCY'S HOUSING PRESERVATION PROGRAM, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. King
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

None

AND THE FOLLOWING WAS ABSENT.

Mr. Dunlop
Mr. Singh

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FIVE (5) AYES (MR. DUNLOP AND MR. SINGH ABSENT).

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 37-2001 IS ADOPTED.

PERSONS WISHING TO ADDRESS THE MEMBERS ON NON-AGENDA, BUT AGENCY RELATED MATTERS.

Susanna Tom, Harry Jamerson, Doris M. Vincent

Doris M. Vincent in her testimony, asked on behalf of the Bayview PAC, if the Agency's budget had been adopted or not, in light of President Yee's pronouncement that the vote on the budget had failed. Ms. Vincent asked if the Executive Director could respond.

President Yee asked the Executive Director to respond to the question.

Executive Director James B. Morales stated that in accordance with the Agency's by-laws and the vote of the Commission on the budget resolution, he considers the Agency's budget approved. Mr. Morales quoted from the Agency's by-laws, "Section 34. Quorum – four members shall constitute a quorum for the purpose of conducting business and exercising powers and for all other official purposes, but a smaller number may adjourn from time to time until a quorum is obtained." And "Section 35. Voting – every official act of the Agency shall be adopted by a majority vote of the members. A "majority vote" shall mean a majority of all Members present when a quorum is present."

REPORT OF THE PRESIDENT

- President Yee recalled that the Commission recently approved the Namiki Apartments project and advised that the Agency should not allow developer selection by tenants to happen again because the Agency has qualified staff and should not rely on outside, non-experienced people to select developers.
- President Yee admonished the public to not engage in conversation while the Chair is speaking or while the Commission is in deliberations.
- President Yee remarked that due to the voluminous material provided, Commissioners do not have time to read and review before taking action.

REPORT OF THE EXECUTIVE DIRECTOR

(a) Status of Parcel EE-2 Developer submission (Hunters Point)

Speakers: Jim Lowder (Habitat for Humanity), Michael Johnson (E.M. Johnson, Inc.) Derf Butler

- Mr. Morales reported on the status of the developer selection for Parcel EE-2 in Hunters Point.
- Announced the hiring of Sue Chow, Senior Civil Engineer
- Announced the groundbreaking for the Mission/Cesar Chavez Housing Project in Bernal Heights.
- Met with Rincon Center tenants and has reached a conceptual agreement on the Housing Plan.
- Advised the Commission that all Agency policies were followed with respect to the Housing Preservation Program, in particular the Namiki Apartments where tenants interviewed several developers before selecting Chinatown Development Corporation.

Commissioner Foriest Settles shared her appreciation of people coming to the meeting to testify. Ms. Foriest Settles requested the Director to advise other developers for Parcel EE-2 submitting incomplete proposals to comply with established procedures and for Agency staff to proceed with the process and that she supports staff's recommendation.

Commissioner Romero agreed with Ms. Foriest Settles and recalled the long history of the property and pointed out that we now have a qualified and competent developer and to proceed with the process.

Commissioner Palamountain pointed out that the first criteria in the RFQ process are the completeness of the submittals at the established RFQ deadline.

Commissioner King stated that the procedures for this RFQ is not proper and should have not been part of the Director's report, rather it should have been in closed session. Mr. King agreed with the recommendation but have questions about the process.

President Yee agreed with Mr. King and advised the Director that the process is very wrong because we're selecting a developer now and it is not proper.

Commissioner Romero pointed out that we are selecting a developer now, and we should follow the established procedures.

Commissioner King remarked that there should not be action taken during the Director's report.

COMMISSIONERS' QUESTIONS AND MATTERS

- Commissioner Foriest Settles thanked the Agency Secretary for providing her copies of the Shipyard budget charts. Ms. Foriest Settles inquired about the Agency's deferred compensation plan and suggested that staff explore the Aetna Plan with the City, which may result in savings for the employees. Ms. Foriest Settles asked about Mary Rogers' welfare and suggested that a get-well letter and/or flowers be sent on behalf of the Commission.

CLOSED SESSION:

- (a) Pursuant to Government Code § 54956.8 to instruct the Agency's real property negotiator with respect to terms of payment regarding ground lease with Fillmore Renaissance Associates LLP, Parcel 732-A; Western Addition A-2 Redevelopment Project Area. Agency negotiators: Shirley Wysinger, Darby Kremers and Ricky Tijani.

Following a presentation by Executive Director Morales, he presented for the Commission's consideration Resolution No. 38-2001, Authorizing the Executive Director to forbear in the Agency's termination of the agreement for disposition of land for private development with Fillmore Renaissance Associates, L.P., a California limited partnership, for a period not to exceed sixty (60) days to permit the developer to restructure the development team and negotiate a revised Schedule of Performance and Eighth Amendment; Western Addition Approved Redevelopment Project Area A-2.

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MS. PALAMOUNTAIN, THAT RESOLUTION NO. 38-2001, AUTHORIZING THE EXECUTIVE DIRECTOR TO FORBEAR IN THE AGENCY'S TERMINATION OF THE AGREEMENT FOR DISPOSITION OF LAND FOR PRIVATE DEVELOPMENT WITH FILLMORE RENAISSANCE ASSOCIATES, L.P., A CALIFORNIA LIMITED PARTNERSHIP, FOR A PERIOD NOT TO EXCEED SIXTY (60) DAYS TO PERMIT THE DEVELOPER TO RESTRUCTURE THE DEVELOPMENT TEAM AND NEGOTIATE A REVISED SCHEDULE OF PERFORMANCE AND EIGHTH AMENDMENT; WESTERN ADDITION APPROVED REDEVELOPMENT PROJECT AREA A-2, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. King
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

None

AND THE FOLLOWING WAS ABSENT.

Mr. Dunlop
Mr. Singh

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FIVE (5) AYES (MR. DUNLOP AND MR. SINGH ABSENT).

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 38-2001 IS ADOPTED.

- (b) Pursuant to Government Code §54956.9(c), Conference with Legal Counsel regarding initiation of litigation: one potential case.
- (b) Pursuant to Government Code §54957.6 to instruct the Agency's designated representatives to negotiate with San Francisco Redevelopment Employees Association. Agency Designated Representatives: James Morales, Ora Williams.

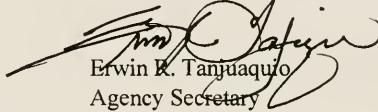
Item (b) was continued to a Special Meeting scheduled for Thursday, March 2, 2001 at 4:30 p.m., as a Closed Session Item.

- (d) Pursuant to Government Code §54956.9(a): Conference with Legal Counsel regarding arbitration with regard to Placement of Employees (ARB. Case #00-0-378, Dept. of Industrial Relations). Parties: International Federation of Professional and Technical Engineers Local 21; Service Employees International Union Local 790; and San Francisco Redevelopment Employees Association.

ADJOURNMENT

It was moved by Ms. Foriest Settles, seconded by Ms. Palamountain, and unanimously carried that the meeting be adjourned. The meeting adjourned at 7:50 p.m.

Respectfully submitted,


Erwin K. Tanjuaquio
Agency Secretary

APPROVED: (AS AMENDED)

April 17, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
6TH DAY OF MARCH 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 6th day of March, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Benny Y. Yee, President
Leroy King, Vice President
Mark Dunlop
Kathryn C. Palamountain
Ramon E. Romero
Michal Foriest Settles
Darshan Singh (arrives @ 4:05 p.m.)

and the following was absent:

None

DOCUMENTS DEPT.

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The President declared that a quorum was present.

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James B. Morales, Executive Director, and staff members were also present.

John L. Taylor, Parliamentarian was also present.

REPORT ON ACTIONS TAKEN AT PREVIOUS CLOSED SESSION MEETING, IF ANY.

Executive Director Morales reported on action taken in Closed Session by the Commission at the February 27, 2001 meeting regarding negotiations with Fillmore Renaissance Associates for Parcel 732-A in the Western Addition A-2 Project Area. Mr. Morales read the resolution adopted by the Commission. "Resolution No. 38-2001, Authorizing the Executive Director to forbear in the Agency's termination of the agreement for disposition of land for private development with Fillmore Renaissance Associates, L.P., a California limited partnership, for a period not to exceed sixty (60) days to permit the developer to restructure the development team and negotiate a revised Schedule of Performance and Eighth Amendment; Western Addition Approved

Redevelopment Project Area A-2.” Mr. Morales stated that staff is very optimistic about this extension of time so as to allow the developer the time to restructure the development team and move forward.

MATTERS OF NEW BUSINESS – CONSENT AGENDA

4 (a) Approval of Minutes: Meeting of January 16, 2001

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNLOP, AND UNANIMOUSLY CARRIED, THAT CONSENT AGENDA ITEM 4(a), MEETING MINUTES OF JANUARY 16, 2001, BE ADOPTED.

NEW BUSINESS – REGULAR AGENDA

4 (b) Resolution No. 39-2001, establishing a three-person committee of the Commission to review the Agency's Personnel Policy

Executive Director Morales noted that the Commission has received an opinion from the City Attorney's Office regarding appointment powers of the President, vis-à-vis the Commission, as well as a staff memorandum that describes the policy and technical concerns about the committee. Mr. Morales stated that the staff recommendation is to have the entire Commission review the Personnel Policy and not create a special three-person committee. Mr. Morales pointed out that if the three-person committee is established, members would have to be appointed by the Commission and given that it would be a standing committee of the Commission it would require Brown Act notice before the committee met.

Agency Secretary Tanjuaquio informed the Commission of a request from members of the public in attendance to take item 4(c) first.

President Yee acquiesced and entertained a motion to take item 4(c) first.

MOTION: IT WAS MOVED BY MR. KING, SECONDED BY MR. ROMERO, AND UNANIMOUSLY CARRIED, THAT ITEM 4(c) BE TAKEN OUT OF ORDER AND CONSIDERED FIRST.

4 (c) Resolution No. 40-2001, Authorizing a First Amendment to the Disposition and Development Agreement (“DDA”) with Habitat for Humanity San Francisco to revise the Performance Schedule for the development of two low income ownership units at Site FF-2, located at 1378 Oakdale Avenue; Hunters Point Redevelopment Project Area

Presenters: Lucia Mele (Agency Staff), Sitara Kapoor (Habitat)

Speakers: Donna Doyle, Michele Williams

Commissioner Foriest Settles stated her admiration of Habitat's work and commended Habitat for Humanity's excellent community work. Ms. Foriest Settles inquired about the number of families on the waiting list for the homes and asked if community residents have priority for the homes.

Commissioner Dunlop apologized for not making the groundbreaking and thanked Mrs. Doyle and Williams for taking the time to come to the Commission meeting.

Commissioner Singh asked if the selected homebuyers are from the Hunters Point community and what is the schedule of completion.

President Yee stated that he had no problem with the extension and remarked that Habitat for Humanity is a great organization. Mr. Yee pointed out that it does not take 18 months to complete construction of two units. Mr. Yee asked what the selection criteria are for the homeowners. Mr. Yee asked why staff is estimating an 18-month construction period and when the building permit was submitted to the Planning Department.

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MS. PALAMOUNTAIN, THAT ITEM 4 (c) RESOLUTION NO. 40-2001, AUTHORIZING A FIRST AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT ("DDA") WITH HABITAT FOR HUMANITY SAN FRANCISCO TO REVISE THE PERFORMANCE SCHEDULE FOR THE DEVELOPMENT OF TWO LOW INCOME OWNERSHIP UNITS AT SITE FF-2, LOCATED AT 1378 OAKDALE AVENUE; HUNTERS POINT REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

None

AND THE FOLLOWING WAS ABSENT.

None

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SEVEN (7) AYES.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 40-2001 IS ADOPTED.

At this time, the Commission resumed discussion on item 4 (b) Resolution No. 39-2001, Establishing a three-person committee of the Commission to review the Agency's Personnel Policy

Commissioner Romero spoke against the resolution and pointed out that the issue of personnel policies is such an important area of the Commission's work that it should involve the entire Commission. Mr. Romero remarked that review of the personnel policy at this time would result in disruption of staff's work. Mr. Romero reminded the Commission that there are collective bargaining issues, potential residual unit under arbitration and should not make any legal changes to personnel policy at this time. Mr. Romero recalled that one of the Commissioners in the past have publicly stated that they would make the Director resign and implored the President and Vice-President to not use the personnel committee as a vehicle to harass the Director. Mr. Romero asked for what specific purpose is the committee is being established at this time.

Commissioner King referred to the Director's memorandum and raised a question of the Director dictating to the Commission instead of the Director following the policies of the Commission. Mr. King remarked that the Director can outline issues before the Commission and the Commission can discuss the matters and then decide but not to be dictated by the Director. Mr. King pointed out that the personnel committee would not intervene with labor negotiations. Mr. King made a recommendation that from this point forward, the Commission should go to the Attorney General's office for advice and to determine proper procedures, because the Agency is a State Agency and not a City department. Mr. King stated that he was told that the Agency need not listen to the Mayor or the City Attorney and that the Agency should go to the Attorney General. Mr. King suggested that the

President send a letter to the Attorney General's office and stated that there is no need to go through the Director or General Counsel.

President Yee stated that previous Presidents of the Commission have formed and appointed committees before, but since he was elected the Director has changed directions. Mr. Yee stated that he respects the Director, respects the Director's knowledge, but pointed out that individual Commissioners are not lawyers and do not know all of the technical issues and moreover, the judgements made by the Commission are not made by individual members, but by the full Commission. Mr. Yee asked why is there such opposition to establishing a committee now, when committees have existed in the past. Mr. Yee informed the Commission that he has contacted the Governor's Counsel and recommended that the Agency follow State law and the State Charter. Mr. Yee advised that the Commission will no longer seek opinions from the City Attorney and will go directly to the State for guidance. Mr. Yee commented that the Agency does good and important work for the City and that it is not proper to speculate about the purpose of the committee and the Commission must do the right thing. Mr. Yee suggested that the Commission should not do what the Director or individual Commissioners want to do, but instead to build consensus. Mr. Yee reiterated the purpose of the committee is to review the personnel policy so as to improve and update the policies.

Commissioner Palamountain commented that the Commission is at a unique time and the composition of the present Commission has tremendous experience and stated that it is not a bad thing to set policies on personnel, but not at this time when, in the opinion of Counsel, it is not appropriate to review the personnel policy while Agency employees are negotiating for a bargaining unit. Ms. Palamountain pointed out that the personnel policy and Union contracts with Local 21 and 790 were last amended in 1997 and that the Agency is within the realm and time period where it might be appropriate to review these policies, and recommended that the Commission wait to establish the committee until labor negotiations are concluded. Ms. Palamountain shared that she conferred with the Mayor about the personnel committee matter and the Mayor (in a response letter) suggested that given the small composition of the Commission, it would be more appropriate to have the entire Commission review the personnel policy instead of delegating the matter to a three-person committee. (Ms. Palamountain shared copies of the Mayor's letter to her with the Commission) Ms. Palamountain agreed with Mr. King's suggestion that we refer the matter to the Attorney General's office but pointed out that the opinion rendered by the City Attorney's office is in response to President Yee's request in the first place and that the Commission should follow the City Attorney's recommendations.

Commissioner Foriest Settles referred to the City Attorney's letter pointing out that it is appropriate for the Commission to review personnel policy matters and the concerns would be on the timing of the review. Ms. Foriest Settles stated that she could not comment upon previous comments by other Commissioners about odious motivations behind the formation of the committee, but she advised that personnel issues are very complicated and the Commission should have the opportunity to be familiar with the issues before policy matters come before the Commission. Ms. Foriest Settles stated that she was also sensitive to the timing of the review of the personnel policy.

Commissioner King pointed out that the SFREA has been recognized by the Commission and the committee would not be interfering with labor negotiations and that the purpose is simply to review the existing personnel policy. Mr. King advised that the Commission's composition has changed in the last four years and not everyone is familiar with the personnel policy.

Commissioner Dunlop agreed with Ms. Foriest Settles that the Commission look into the issues and suggested a workshop, maybe on a weekly basis, to continue discussion and review of the personnel policy. Mr. Dunlop supported the suggestion that the entire Commission, instead of a three-person committee, review the personnel policy.

Commissioner Romero restated the fact that he is a labor lawyer and is knowledgeable about public employee labor rules and pointed out that the personnel policy is for the non-represented employees. Mr. Romero stated that employees belonging to a union go to the negotiating table to discuss benefits, pay, etc. Mr. Romero stated that he has no problem with the whole Commission reviewing the labor and personnel issues.

President Yee asked the Agency Secretary to call the roll.

Agency Secretary Tanjuaquio pointed out that a motion to adopt has not been made.

President Yee responded that a motion is not needed because the matter is on the Agenda.

Commissioner Romero pointed out that all previous actions by the Commission has had motions to adopt.

President Yee asked the Parliamentarian for a ruling.

Parliamentarian John L. Taylor stated that it is normal practice to have a motion and a second on matters before the Commission, unless there is a system in which there are committees that provide recommendations to the full Commission where no motion is required. Mr. Taylor advised President Yee that a motion and a second is required before a roll call vote can be taken.

President Yee replied that he made his ruling based upon advise from the other Parliamentarian, Nancy Elsner that matters listed on the Agenda do not require motions and can be acted upon, approved or rejected. Mr. Yee asked Mr. Taylor to research the ruling and asked for a report back to the Commission.

At this time President Yee entertained a motion to adopt item 4(b). Commissioner King made a motion and it was seconded by Commissioner Singh.

Commissioner Foriest Settles asked Mr. King is he would be willing to amend his motion based upon the Mayor's recommendation to have the full Commission, instead of a committee to review the personnel policy, given that the Commission is a small group.

Commissioner King stated that he does not agree with the Mayor's recommendation and believed that the Mayor is wrong on this matter, that having the full Commission review the personnel policy would take too much time.

President Yee added that establishing a committee is a normal part of the law and pointed out that every recommendation from such a committee would come before the full Commission.

ADOPTION: IT WAS MOVED BY MR. KING, SECONDED BY MR. SINGH, THAT ITEM 4 (b), RESOLUTION NO. 39-2001, ESTABLISHING A THREE-PERSON COMMITTEE OF THE COMMISSION TO REVIEW THE AGENCY'S PERSONNEL POLICY, AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Ms. King
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

Mr. Dunlop
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles

AND THE FOLLOWING WAS ABSENT.

None

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FOUR (4) NOES AND THREE (3) AYES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION TO ADOPT RESOLUTION 39-2001 FAILED.

At this time, Commissioner Foriest Settles made the following motion.

MOTION: IT WAS MOVED BY MS. FORIEST SETTLES, SECONDED BY MR. DUNLOP, TO ESTABLISH THE FULL SEVEN-MEMBER COMMISSION TO REVIEW THE AGENCY’S PERSONNEL POLICY, AND ON ROLL CALL, THE FOLLOWING VOTED “AYE”:

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

None

AND THE FOLLOWING WAS ABSENT.

None

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SEVEN (7) AYES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION CARRIED.

- 4 (d)** Resolution No. 41-2001, Authorizing a Fourth Amendment to the Operating Agreement between Zeum and the Redevelopment Agency of the City and County of San Francisco which provides an advance of \$260,000 for facility security, operation and maintenance; Yerba Buena Center Redevelopment Project Area

Presenters: Cathy Pickering (Agency Staff), Sherry Kafka Wagner (Consultant), David Dial (Zeum)

Speakers: Stephen Koch, Jorog Tho-Biaz

Commissioner Singh asked how many visitors, particularly children, have come to Zeum. Mr. Singh expressed his delight about Zeum, thought it was a wonderful place and that he has visited Zeum twice with his grandson. Mr. Singh inquired about the hours of operation and asked about the fundraising efforts of Zeum and commended David Dial for doing a great job.

Commissioner Romero remarked that it looked like Zeum is going in the right direction and supports the item.

Commissioner Foriest Settles congratulated Zeum with the three- percent increase in patronage. Ms. Foriest Settles commented that she did not see fundraising listed as one of the strategies in the report and asked why the school program did not work. Ms. Foriest Settles asked what the patrons' range of age groups was and if Commissioners were in Zeum's mailing list.

President Yee asked what the funding commitment was from the Agency for the current fiscal year.

ADOPTION: IT WAS MOVED BY MR. SINGH, SECONDED BY MR. KING, THAT ITEM 4(d), RESOLUTION NO. 41-2001, AUTHORIZING A FOURTH AMENDMENT TO THE OPERATING AGREEMENT BETWEEN ZEUM AND THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO WHICH PROVIDES AN ADVANCE OF \$260,000 FOR FACILITY SECURITY, OPERATION AND MAINTENANCE; YERBA BUENA CENTER REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

None

AND THE FOLLOWING WAS ABSENT.

None

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SEVEN (7) AYES.

THE PRESIDENT THEREUPON DECLARED THAT REOSLUTION 41-2001 IS ADOPTED.

PERSONS WISHING TO ADDRESS THE MEMBERS ON NON-AGENDA, BUT AGENCY RELATED MATTERS.

Marie J. Franklin, Harry Jamerson, Willa L. Sims

REPORT OF THE PRESIDENT

- President Yee stated that he observes the rules of the Commission and hoped that fellow Commissioners would do the same. Mr. Yee admonished fellow Commissioners to not mention names and be sensitive to avoid speculative comments about things like getting the Director to resign. Mr. Yee opined that this is improper behavior for Commissioners.
- President Yee recalled the Commission's vote the previous week on the Agency's budget, which he ruled under the advice of the Parliamentarian that the resolution failed. Mr. Yee indicated that in spite of his ruling, the Director ignored his ruling and considered the budget approved. Mr. Yee added that the Mayor agreed with the Chair's ruling. Mr. Yee indicated that he has instructed the Director to place the budget item on next week's agenda.

- President Yee informed that the Bayview Hunters Point Project Area Committee has requested that the Commission hold a meeting in the Bayview.
- President Yee announced that the Commission will immediately work on reviewing the Personnel Policy next week.

REPORT OF THE EXECUTIVE DIRECTOR

- Reported on the annual meeting of the Bayview PAC held last week where election of officers were held and Mohammed Nuru was elected Chair and Cordelle Hawkins as Vice-Chair.
- Reminded the Commission of the March 15th Bayview PAC meeting where the Revitalization Concept Plan will be unveiled and encouraged the Commission to attend.
- Informed the Commission of Mid-Market Project Area Committee meeting to be held on March 14th on the proposed redevelopment plan.
- Informed the Commission that he will be out of town the week of March 12th and that Ms. Helen Sause will be acting Director. In light of this, Mr. Morales stated that he would like to be present at the meeting if the Commission is to consider or reconsider the budget. Mr. Morales explained that in accordance with the Agency's by-laws, the Commission's vote approving the budget was deemed appropriate, legal and binding and the budget has been submitted to the Mayor's office. Mr. Morales suggested that the proper procedure would be to rescind the adopted resolution approving the budget and re-consider the budget with the full Commission present. Mr. Morales suggested that since the following week's (March 13th) calendar has only two consent items and one regular item, the Commission might want to consider not having a meeting on March 13th, hold a meeting on March 20th and calendar the budget matter at that meeting, where he would be in attendance.

COMMISSIONERS' QUESTIONS AND MATTERS

- Commissioner Romero stated that he wanted to be on record as agreeing to abide by not only State laws but also the Agency's by-laws as well. Mr. Romero stated that he considered the budget vote legal and is approved, but the Commission wants to reconsider the budget, the Commission can do that. Mr. Romero suggested that the President asked the Parliamentarian for this week (Mr. Taylor) for his opinion and ruling on the budget vote the previous week. Mr. Romero thanked Ms. Willa Sims for coming to the meeting.
- Commissioner Foriest Settles requested staff to follow-up with Harry Jamerson's inquiry about the EB2A construction matter. Ms. Foriest

Settles inquired about the status of the recruitment for the Deputy Executive Director for Finance. Ms. Foriest Settles shared her recent visit to the new City Hall in Hayward where she noticed a photograph of the Council while in session and suggested that the Commission consider having its photographs taken in the meeting room on a given Tuesday, so as to lessen the burden on staff in setting up logistics, because the Commissioners would already be here and the photographs can be taken in a relatively short time.

- Agency Secretary Tanjuaquio informed the Commission that a photographer has been selected and the plan is for the photographer to come to City Hall on a Tuesday to take the Commissioners' photographs and that the Commissioners just have to pick a specific Tuesday to schedule the photo session.
- Commissioner Foriest Settles shared her experience when attending the Alonzo King performance in the Yerba Buena Gardens and pointed out the very important work that the Agency does in the community. Ms. Foriest Settles asked for clarification on the City Attorney's letter regarding the personnel committee, specifically "concerns raised by employees."
- Director Morales replied that this was referring to the one of the Standards of Conduct, specifically the one regarding the Commission respecting the roles of the Commission, Executive Director and staff.
- Commissioner King pointed out that if employees have issues regarding management and labor, they should file a complaint with the Commission and that there has been no complaints from any of the non-represented employees and that the Director has no authority. Mr. King commented that when he and the President meets with the Director, they only meet for five minutes and that the Director never calls him or the President to discuss matters, but calls other Commissioners – the Director brings every issue before the Commission. Mr. King stated that this is not a good relationship and the Director has no respect for the President and Vice-President.
- President Yee asked the Parliamentarian, John Taylor to comment on the Chair's ruling regarding the Commission's vote on the Agency's budget at last week's meeting. Mr. Yee explained that there were only five Commissioners present and the vote was three ayes and two noes to adopt the budget, and according the last week's Parliamentarian, Nancy Elsner, the Commission needed four affirmative votes to adopt the budget because a majority vote means a majority of the membership.
- Mr. Taylor stated that he understood the advice from last week's Parliamentarian and he agreed that in many of the governmental agencies including the Board of Supervisors, the standard practice is that a majority means a majority of the total membership, however Robert's Rules of Order indicate that a majority means a majority of members present, which

is consistent with the Agency's by-laws providing the same standard for purposes of voting.

- President Yee asked for the Parliamentarian's advice with regard to the Director ignoring the Chair's ruling and advice of the Parliamentarian that the budget vote failed.
- Mr. Taylor replied that the Director was left with a "no-win" situation where the choices were to follow the Commission's by-laws with respect to the votes or follow the Chair's ruling that the budget vote failed, and the Director chose to abide by the Commission's by-laws, deemed the budget approved and submitted it to the Mayor's office.
- Commissioner Palamountain commented that if the Commission wished to rescind the budget vote, it could do that, but it would also be appropriate, pursuant to Mr. King's comments, that a minority report could be prepared and submitted to the Board of Supervisors, or any number of supplemental reports to the budget could be submitted. Ms. Palamountain asked the President if there were specific areas of the budget he was concerned with and to discuss those, instead of rescinding the budget vote.
- President Yee informed the Commission that at the Agenda-setting meeting, he, the Vice-President and the Executive Director placed on the March 13th agenda, the re-consideration of the budget vote.
- Commissioner Romero made a motion to remove the budget item from the March 13th agenda.

MOTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNLOP, THAT THE ITEM RESCINDING THE VOTE ON THE AGENCY'S BUDGET BE REMOVED FROM THE MARCH 13TH AGENDA, AND ON ROLL CALL THE FOLLOWING VOTED "AYE":

Ms. Dunlop
Ms. Palamountain
Mr. Romero

AND THE FOLLOWING VOTED "NAY":

Mr. King
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING WAS ABSENT.

None

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FOUR (4) NOES AND THREE (3) AYES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION FAILED.

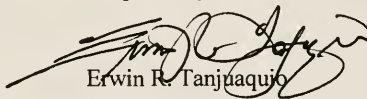
CLOSED SESSION:

- (a) Pursuant to Government Code §54956.8 to instruct the Agency's real property negotiator with respect to terms of payment regarding ground lease with Fillmore Renaissance Associates LLP, Parcel 732-A; Western Addition A-2 Redevelopment Project Area. Agency negotiators: Shirley Wysinger, Darby Kremers and Ricky Tijani.
- (b) Pursuant to Government Code §54956.9(c), Conference with Legal Counsel regarding initiation of litigation: one potential case.

ADJOURNMENT

It was moved by Ms. Foriest Settles, seconded by Mr. King, and unanimously carried that the meeting be adjourned. The meeting adjourned at 7:36 p.m.

Respectfully submitted,


Erwin R. Tanjuaquio
Agency Secretary

APPROVED: (AS AMENDED)

April 24, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
13TH DAY OF MARCH 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 13th day of March, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Benny Y. Yee, President
Leroy King, Vice President
Mark Dunlop
Kathryn C. Palamountain
Ramon E. Romero
Michal Forrest Settles
Darshan Singh

and the following was absent:

None

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The President declared that a quorum was present.

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Helen Sause, Acting Executive Director, and staff members were also present.
Peter Keane, Parliamentarian was also present.

MATTERS OF NEW BUSINESS – CONSENT AGENDA

- 4 (a) Resolution No. 42-2001, Authorizing Helen Sause, Deputy Executive Director, Program and Project Management, to travel to Washington D.C., March 16-21, 2001 to attend the NAHRO Committee and Board Meeting and the annual 2001 NAHRO Legislative Conference at a cost not to exceed \$1,350.00
- 4 (b) Resolution No. 43-2001, Authorizing Elizabeth Colomello, Assistant Development Specialist, to attend the Fourth National HIV/AIDS Housing Conference in Denver, Colorado, from June 14 to 17, 2001 at a cost not to exceed \$1,477.50

Commissioner Foriest Settles recalled that when a travel authorization for Grace Yip was before the Commission, she had requested that Ms. Yip report back to the Commission on the seminar she attended. Ms. Foriest Settles reiterated her desire for staff to provide a report to the Commission following attendance at conferences and/or seminars.

President Yee acknowledged receipt of a list of Agency staff's authorized travel and attendance to various conferences/seminars and requested that staff's titles and cost of travel be included in the list.

ADOPTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MR. ROMERO, AND UNANIMOUSLY CARRIED, THAT CONSENT AGENDA ITEMS 4(a), RESOLUTION NO. 42-2001, AUTHORIZING HELEN SAUSE, DEPUTY EXECUTIVE DIRECTOR, PROGRAM AND PROJECT MANAGEMENT, TO TRAVEL TO WASHINGTON D.C., MARCH 16-21, 2001 TO ATTEND THE NAHRO COMMITTEE AND BOARD MEETING AND THE ANNUAL 2001 NAHRO LEGISLATIVE CONFERENCE AT A COST NOT TO EXCEED \$1,350.00, AND 4(b) RESOLUTION NO. 43-2001, AUTHORIZING ELIZABETH COLOMELLO, ASSISTANT DEVELOPMENT SPECIALIST, TO ATTEND THE FOURTH NATIONAL HIV/AIDS HOUSING CONFERENCE IN DENVER, COLORADO, FROM JUNE 14 TO 17, 2001 AT A COST NOT TO EXCEED \$1,477.50, BE ADOPTED.

NEW BUSINESS – REGULAR AGENDA

- 4 (c) Considering the Rescission of Resolution 34-2001 adopted on February 27, 2001, Approving the Agency's Proposed Budget for the period of July 1, 2001 through June 30, 2002 and Authorizing the Executive Director to submit the Budget to the Mayor's Office

Presenters: Mario Menchini (Agency Staff)

Speakers: Bob Legallet, Diana Oertel, Teresa Vergel

Commissioner Singh asked about the Filipino Cultural Center in South of Market.

President Yee provided a background and explanation about the Chair's previous ruling on the Commission's vote on the Agency's proposed budget two weeks prior where only five (5) Commissioners were present and the vote was three (3) to two (2) approving the budget. Mr. Yee explained that his ruling declaring the three to two vote as a failed vote was based upon (then)

Parliamentarian Nancy Elsner's advise that a majority vote means four (4) votes irrespective of the numbers of Commissioners present. Mr. Yee shared that he spoke with the Mayor about the Commission's vote and that the Mayor agreed that four votes are needed and that is why the budget is on the Agenda again. Mr. Yee explained that based upon his understanding, the Chair's ruling is final and in this case, the Chair's ruling was incorrect. Mr. Yee asked Parliamentarian Peter Keane for an opinion on the matter.

Parliamentarian Keane acknowledged that normally, the Chair's ruling is final however, if the ruling was erroneous, then the ruling is subject to being revisited and the Commission, by a majority vote, can overrule the Chair's ruling.

Commissioner Foriest Settles stated that her vote to bring the budget back before the Commission was not based upon the Parliamentarian's (Ms. Elsner) ruling on the Commission's vote, but because one of the Commissioners had indicated that he wanted to talk about the content of the budget and thought that had validity from the stand point that maybe the Commission had overlooked something in the process. Ms. Foriest Settles indicated that she was willing to listen to further discussion on the content of the budget, but on the issue of the ruling based upon the Agency's by-laws, she indicated her assent and wanted to go on record that the only reason she voted to bring the budget back was to hear discussion on the budget's content.

Commissioner Dunlop informed the Parliamentarian (Mr. Keane) that the Chair made his erroneous ruling well after the budget vote, in fact the Commission had already considered and voted on two other matters when the Chair made his ruling that the budget vote failed. Mr. Dunlop advised his fellow Commissioners that what is before the Commission is a consideration to rescind the adopted budget resolution and that he had not yet heard a motion to rescind the budget resolution.

Commissioner Romero remarked that he had not heard a motion to rescind and he reserved the right to speak on the matter, if such a motion is made.

President Yee advised that a motion to rescind a previous vote must be made by Commissioners who voted for the matter.

President Yee called for a motion to rescind and hearing none, he declared that the Rescission of the Budget Resolution failed and the previous vote of the Commission stands and the budget is approved.

- 4 (d) Resolution No. 44-2001, Authorizing a First Amendment to the Letter Agreement with the Mayor's Office of Community Development, which increases the Amount of Compensation by \$317,681 for administration of the Business Development Contract with San Francisco Renaissance; Bayview Hunters Point Redevelopment Survey Area

Presenters: Randi Smith (Agency Staff), Pam David (MOCD), Sharon Miller (SF Renaissance)

Commissioner Foriest Settles stated that she was pleased to see that the program is not just for one neighborhood and that it is intended to serve all of San Francisco benefiting other communities. Ms. Foriest Settles asked about San Francisco Renaissance's role in the program and inquired about space rental costs and/or fees. Mr. Foriest Settles asked who selects the Advisory Committee and requested that quarterly progress reports be provided to the Commission.

Commissioner Palamountain shared her enthusiasm about the Bayview Business Resource Center's program and was glad to see that orientation and preliminary training for business start-ups will be provided. Ms. Palamountain inquired about the Center's goal of preserving small commercial spaces and asked if this included existing businesses in the community. Ms. Palamountain referred to her experience in child care and suggested that there be concrete strategies that provide space to small businesses once they get all the training and skills to run the business.

ADOPTION: IT WAS MOVED BY MS. FORIEST SETTLES, SECONDED BY MR. SINGH, THAT ITEM 4(d), RESOLUTION NO. 44-2001, AUTHORIZING A FIRST AMENDMENT TO THE LETTER AGREEMENT WITH THE MAYOR'S OFFICE OF COMMUNITY DEVELOPMENT, WHICH INCREASES THE AMOUNT OF COMPENSATION BY \$317,681 FOR ADMINISTRATION OF THE BUSINESS DEVELOPMENT CONTRACT WITH SAN FRANCISCO RENAISSANCE; BAYVIEW HUNTERS POINT REDEVELOPMENT SURVEY AREA, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

None

AND THE FOLLOWING WAS ABSENT.

None

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SEVEN (7) AYES.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 44-2001 IS ADOPTED.

PERSONS WISHING TO ADDRESS THE MEMBERS ON NON-AGENDA, BUT AGENCY RELATED MATTERS.

Dolph Rempp, Arnold Townsend

President Yee asked for a moment of silence to respect the passing of Jose Rudolph, the founder and manager of radio station KPOO, the radio station that broadcasts the Agency Commission meetings.

REPORT OF THE PRESIDENT

- President Yee announced that at the next week’s agenda (March 20th), there would be an item to review the Agency’s policies and other matters. Mr. Yee pointed out that this is a broad subject matter and reminded that the Commission adopted a resolution, which allows this review to take place.
- President Yee shared with the Commission “Rules of Order” adopted by the Contractors State License Board and pointed out that according to these rules of order, the Chair has the authority to appoint committees of the Board and that the Chair has a role in debate and is owed respectful attention by other members of the board. Mr. Yee stated that the Commission would be discussing these rules at next week’s meeting.

REPORT OF THE EXECUTIVE DIRECTOR

- Announced the groundbreaking ceremony and breakfast for EB-1 on March 20th at 8:30 a.m.
- Amos Brown is working with an ad-hoc committee on the African-American Cultural Center and is holding a meeting on March 17th at 10:00 a.m. in the West Bay conference center.
- Working with Mr. Rempp to provide opportunities for saving the ship restaurant and staff will bring a closed session matter before the Commission to get instruction on negotiations.
- Bayview PAC meeting on March 15th regarding the Concept Plan.
- Zeum's opening last Saturday, March 10th.
- Elkor Realty working with broker to see the Fillmore Center.
- April 10th Commission meeting in the Southeast Community Facility which will include a report on the BAYCAT project.

At this time Charlie Walker requested to speak and address the Commission. President Yee asked the Commission if he could open-up Item 6 of the Agenda for persons to address the Commission on non-agenda, but Agency-related matters and the Commission agreed.

Charlie Walker addressed the Commission and President Yee allowed one additional speaker to address the Commission. Harry Jamerson addressed the Commission.

COMMISSIONERS' QUESTIONS AND MATTERS

- Commissioner Romero raised concerns about the President's announcement that personnel policies and other matters are on the next week's agenda. Mr. Romero remarked that the whole personnel policy should not be put on discussion and asked what specific sections of the personnel policy is of concern. Mr. Romero asked specifically what was agreed upon at the Agenda-setting meeting with the Director/Acting Director.
- President Yee replied that he and the Vice-President instructed the Acting Director (Ms. Sause) to place on next week's agenda a discussion on rules of order and other matters which will provide an opportunity to modify the Agency's by-laws.
- Acting Director Helen Sause explained that what President Yee had requested to be placed on the agenda was a review of the by-laws and the Agency's policies. Ms. Sause stated that during the Agenda-setting meeting, Mr. Morales called in and expressed concerns that there be a particular focus of discussion so that staff can be prepared to present in an

informed way and the public would know what it is specifically, the Commission would be discussing.

- Commissioner King interjected and stated that all that was agreed to at the Agenda-setting meeting was a discussion to review the Agency's personnel policy as was voted upon by the Commission when it established the full Commission to review the Agency's personnel policy. Mr. King pointed out that Mr. Yee meant to have a review of the by-laws, but that was not what the Director had recommended and that what he (Mr. King) agreed to was a review of the personnel policy.
- President Yee acceded with Mr. King and asked that copies of the standards of conduct resolutions as well as the by-laws adopted by the Commission be provided to the Commission.
- Commissioner Palamountain asked for clarification if all that was agreed upon to be placed on the agenda was a discussion of only the Agency's personnel policy.
- President Yee replied yes and remarked that he wasn't sure why the Director was so concerned with a review of the personnel policy.
- Ms. Sause stated that the Director had some concerns because he was not sure what specific aspect of the personnel policy would be discussed.
- Commissioner Dunlop clarified that what will be placed on the agenda will be the review of the personnel policy and not rules of order. Mr. Dunlop concurred with Mr. Romero that the Commission cannot just put the whole personnel policy on discussion because it is just too broad and discussion should be limited to specific topics to make sure that the Commission is not violating any labor laws. Mr. Dunlop shared that he heard about Mary Rogers being in the hospital and asked if flowers can be sent to Mrs. Rogers.
- Commissioner Foriest Settles shared that she spoke with Mary Rogers and was informed that Mrs. Rogers was just released from the hospital and is in the comfort of her home.
- Commissioner Foriest Settles suggested a process in which the Commission can go through a review of the personnel policy for the specific purpose of informing itself and understanding what is contained in the personnel policy. Ms. Foriest Settles pointed out that the personnel policy contains nine chapters and recommended that at the next meeting, the Commission review the first three chapters of the personnel policy and to continue reviewing the other chapters at subsequent meetings.
- Commissioner Singh inquired about a cultural center proposed in the Bloomingdale's project.
- Commissioner King expressed concerns about statements made by other Commissioners that the Commission should not be reviewing the personnel policy because of on-going labor negotiations. Mr. King stated that the Commission would be reviewing and simply discussing the

personnel policy, not taking action to change anything to affect the labor negotiations. Mr. King stated that the Commission is not violating any labor laws by reviewing the personnel policy.

- Commissioner Romero stated that he would support a workshop on the personnel policy where staff would present the different chapters of the personnel policy.
- Commissioner Palamountain agreed with Commissioner Foriest Settles' recommendation to have a workshop to review the first three chapters of the Agency's personnel policy. Ms. Palamountain made a motion to that effect. Mr. Dunlop seconded the motion.

MOTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MR. DUNLOP, TO INCLUDE ON THE MARCH 20TH COMMISSION MEETING AGENDA, A WORKSHOP ON THE FIRST THREE CHAPTERS OF THE AGENCY'S PERSONNEL POLICY, AND ON ROLL CALL THE FOLLOWING VOTED "AYE":

Ms. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Singh

AND THE FOLLOWING VOTED "NAY":

Mr. Yee

AND THE FOLLOWING WAS ABSENT.

None

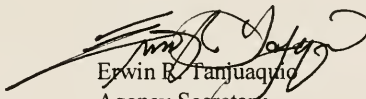
THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) NO.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION CARRIED.

ADJOURNMENT

It was moved by Mr. Dunlop, seconded by Mr. King, and unanimously carried that the meeting be adjourned. The meeting adjourned at 6:02 p.m.

Respectfully submitted,



Erwin R. Tanjuaquio
Agency Secretary

APPROVED:

May 1, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
20TH DAY OF MARCH 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 20th day of March, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Benny Y. Yee, President
Leroy King, Vice President
Mark Dunlop
Kathryn C. Palamountain
Michal Foriest Settles
Darshan Singh (arrives @ 4:12 p.m.)

and the following was absent:

Ramon E. Romero

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The President declared that a quorum was present.

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James B. Morales, Executive Director, and staff members were also present.

Agency Secretary Erwin R. Tanjuaquio made the following announcements:

- Commissioner Ramon Romero will be absent for the March 20th meeting
- Affordable Housing Committee meeting scheduled for March 20th has been cancelled
- Memorial Services for Jose Rudolph, founder and manager of radio station KPOO

MATTERS OF NEW BUSINESS – CONSENT AGENDA

4 (a) Approval of Minutes: Meetings of January 23 and 30, 2001

Commissioner Foriest Settles requested that the minutes include the full titles of the resolutions in the “adoption” descriptions. Ms. Foriest Settles asked that the January 30th minutes page 6 be corrected to state that she was arriving late at the February 13th meeting, and not absent.

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MR. KING, AND UNANIMOUSLY CARRIED (MR. ROMERO AND MR. SINGH ABSENT), THAT CONSENT AGENDA ITEM 4(a), APPROVAL OF MINUTES FOR MEETINGS OF JANUARY 23 AND 30, 2001, AS AMENDED, BE ADOPTED.

NEW BUSINESS – REGULAR AGENDA

- 4 (b) Resolution No. 45-2001, Conditionally Approving the Schematic Design for Parcel 1 of Block N3, which is located at King, Fourth, and Berry Streets in Mission Bay North, pursuant to an Owner Participation Agreement with Catellus Development Corporation; Mission Bay North Redevelopment Project Area

Presenters: Amy Neches (Agency Staff), Tim Stanley (Avalon Bay), Mark Hester (BAR Architects)

Commissioner King asked about the Contractor's hiring diversity, specifically African-American firms.

Commissioner Foriest Settles asked if the retail establishments would be seen from the street and asked the Architect to point out (on the model) the entrance as well as access to the building. Ms. Foriest Settles asked for an explanation of the parking requirements, access and operations for the development. Ms. Foriest Settles thanked staff for including discussion on transportation issues.

Commissioner Dunlop commended staff for the great work and requested that periodic updates be provided on the low- and moderate-income housing production for Mission Bay.

Commissioner Singh asked if there were any East Indian firms working on the development. Mr. Singh asked what the total amount of the contracts and remarked that \$20,000 and \$40,000 contracts are very small contracts compared to the total project costs.

Commissioner Palamountain congratulated the developer for the amenities being provided. Ms. Palamountain stated her support for ensuring that the low- and moderate-income units are spread-out through the development and not grouped together.

ADOPTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MS. FORIEST SETTLES, THAT ITEM 4(b), RESOLUTION NO. 45-2001, CONDITIONALLY APPROVING THE SCHEMATIC DESIGN FOR PARCEL 1 OF BLOCK N3, WHICH IS LOCATED AT KING, FOURTH, AND BERRY STREETS IN MISSION BAY NORTH, PURSUANT TO AN OWNER PARTICIPATION AGREEMENT WITH CATELLUS DEVELOPMENT CORPORATION; MISSION BAY NORTH REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Ms. Foriest Settles

AND THE FOLLOWING VOTED "NAY":

Mr. Singh

AND THE FOLLOWING WERE ABSENT.

Mr. Romero
Mr. Yee (momentarily left the meeting room)

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FOUR (4) AYES AND ONE (1) NO.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 45-2001 IS ADOPTED.

NOTE: Items 4 (c) and (d) are related matters and were presented together, but acted upon separately by the Commission.

Presenters: Don Capobres (Agency Staff), Willie B. Kennedy

Speakers: Willa L. Sims, Leroy McDonald

- 4 (c)** Resolution No. 46-2001, Authorizing the Executive Director to enter into a Third Amendment to the Personal Services Contract with Willie B. Kennedy in the amount of \$102,717, for an aggregate amount not to exceed \$393,262, and extend the time of performance to March 31, 2002 for Community Outreach Services for the Hunters Point Shipyard Citizens Advisory Committee; Hunters Point Shipyard Redevelopment Project Area

- 4 (d) Resolution No. 47-2001, Authorizing the Executive Director to enter into a Third Amendment to the Personal Services Contract with Cassandra Tompkins in the amount of \$55,729, for an aggregate amount not to exceed \$213,365, and extend the Time of Performance to March 31, 2002, for administrative services for the Hunters Point Shipyard Citizens Advisory Committee; Hunters Point Shipyard Redevelopment Project Area

Commissioner Singh commended and thanked Willie Kennedy for her excellent work.

Commissioner Dunlop thanked and commended Willie Kennedy for her great work.

Commissioner Foriest Settles congratulated Willie Kennedy. Ms. Foriest Settles went on record stating that her relationship with Ms. Kennedy goes beyond the Redevelopment Agency in that Ms. Kennedy is the President of the BART Board and she (Ms. Foriest Settles) is an employee of BART. Ms. Foriest Settles also went on record that she sought legal advice on her ability to vote on the matter before the Commission and was given the legal opinion that she could indeed vote on the matter without risk of a conflict of interest. Ms. Foriest Settles asked why the contract with Ms. Kennedy was on a year-to-year basis and suggested that a longer-term contract be negotiated. Ms. Foriest Settles inquired about the \$75,000 request (for technical assistance) from the Hunters Point Shipyard CAC that the Commission added to the Agency's budget request, and how this technical assistance is coordinated with Ms. Kennedy's outreach services in the Bayview community.

Commissioner King commented that Ms. Kennedy was originally part of the CDC, which the Agency funded, and now Ms. Kennedy has a separate contract with the Agency and she's the main representative for the Bayview Community.

ADOPTION: IT WAS MOVED BY MR. SINGH, SECONDED BY MS. FORIEST SETTLES, THAT ITEM 4(c), RESOLUTION NO. 46-2001, AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A THIRD AMENDMENT TO THE PERSONAL SERVICES CONTRACT WITH WILLIE B. KENNEDY IN THE AMOUNT OF \$102,717, FOR AN AGGREGATE AMOUNT NOT O EXCEED \$393,262, AND EXTEND THE TIME OF PERFORMANCE TO MARCH 31, 2002 FOR COMMUNITY OUTREACH SERVICES FOR THE HUNTERS POINT SHIPYARD CITIZENS ADVISORY COMMITTEE; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

None

AND THE FOLLOWING WAS ABSENT.

Mr. Romero

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 46-2001 IS ADOPTED.

ADOPTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MR. SINGH, THAT ITEM 4(d), RESOLUTION NO. 47-2001, AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A THIRD AMENDMENT TO THE PERSONAL SERVICES CONTRACT WITH CASSANDRA TOMPKINS IN THE AMOUNT OF \$55,729, FOR AN AGGREGATE AMOUNT NOT TO EXCEED \$213,365, AND EXTEND THE TIME OF PERFORMANCE TO MARCH 31, 2002, FOR ADMINISTRATIVE SERVICES FOR THE HUNTERS POINT SHIPYARD CITIZENS ADVISORY COMMITTEE; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED “AYE”:

Mr. Dunlop
Mr. King
Ms. Palamountain
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

None

AND THE FOLLOWING WAS ABSENT.

Mr. Romero

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 47-2001 IS ADOPTED.

- 4 (e) Workshop on the Agency's Personnel Policy, Chapter I Position Classification, Chapter II Recruitment and Appointment, and Chapter III Probation

Presenters: Ora Williams (Agency staff)

President Yee asked about the probation period for employees and their right of appeal.

Commissioner Foriest Settles asked questions on the following sections of the personnel policy: (1) circulation and posting of vacant positions, (2) internet use by employment applicants, (3) benefits for part-time employees, (4) appointment and tenure provisions, (5) Affirmative Action program for under-represented classes, (6) top five occupational categories of under-represented classes, (7) selection panel in hiring of employees, (8) use of external panel, (9) reversion rights of labor contracts, and (10) factors used in 6-month and/or 12-month performance evaluation of employees.

Commissioner Palamountain asked about the EEOP program, parity comparison with City policy, and if the Agency uses only the San Francisco labor force and if the position classifications include part-time, full-time and flex-time employees.

President Yee, following questions by Commissioners, noted that the workshop will continue as unfinished business at the next meeting on March 27th.

PERSONS WISHING TO ADDRESS THE MEMBERS ON NON-AGENDA, BUT AGENCY RELATED MATTERS.

Charlie Walker, Ulysses J. Montgomery

REPORT OF THE PRESIDENT

- Attended Bayview PAC meeting on March 15th where there was good attendance by the community.
- Attended groundbreaking ceremony for the St. Regis Museum Tower in Yerba Buena Center earlier that day (March 20th)

REPORT OF THE EXECUTIVE DIRECTOR

- Board of Supervisors Public Health Committee meeting on March 27th regarding toxic issues at the Hunters Point Shipyard
- Arbitration meeting for employee groups has been scheduled for April 30th, May 1st and May 3rd
- African-American Cultural Institute discussion at a meeting scheduled on March 22nd at the Mayor's office, specifically to discuss the nature of the proposed program
- Letter from the Delancey Street Foundation regarding lease rental rates, have placed item for Closed Session at the March 27th meeting
- Presentation on April 17th by the GSA developer (workshop)
- Chris Iglesias getting an award from the African-American Chamber of Commerce of Los Angeles on March 22nd in Los Angeles
- Asked Chris Iglesias to present the EB2-A contract compliance program to the Commission
- Memorial services for Joe Rudolph, founder and manger of radio station KPOO

COMMISSIONERS' QUESTIONS AND MATTERS

- Commissioner Foriest Settles congratulated Chris Iglesias and asked (in jest) if the organization giving the award is paying for the travel expenses. Ms. Foriest Settles remarked how wonderful the St. Regis groundbreaking event was and commended staff for the hard work. Ms. Foriest Settles suggested providing resources to the Agency Secretary to help with preparing the minutes in a timely manner, acknowledging the time pressures of having weekly Commission meetings.
- Commissioner King inquired about the Delancey Street Foundation's letter and asked when the matter would be placed on the calendar.

- Commissioner Palamountain shared her enjoyment attending the Bayview PAC meeting on March 15th and the South of Market PAC meeting held March 19th where she saw a sneak preview of the GSA office building proposal. Ms. Palamountain gave her personal congratulations to Chris Iglesias on his award.
- Commissioner Dunlop congratulated Chris Iglesias and remarked that the award is well deserved. Mr. Dunlop reported that he attended the Mid-Market PAC meeting held on March 15th and asked if the plan adoption schedule for summer 2001 is a realistic schedule.
- Commissioner Foriest Settles asked where the Parliamentarian is.
- President Yee commented that the Standards of Conduct resolutions, in particular the Disclosure Policy should not include the Agency Secretary, but instead include Executive staff.

CLOSED SESSION

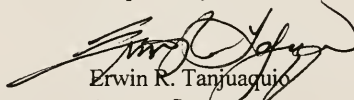
- (a) Pursuant to Government Code §54956.8 to instruct the Agency's real property negotiator with respect to terms of payment regarding ground lease with Fillmore Renaissance Associates LLP, Parcel 732-A; Western Addition A-2 Redevelopment Project Area. Agency negotiators: Shirley Wysinger, Darby Kremers and Ricky Tijani.

This Closed Session item was continued to the meeting of March 27, 2001

ADJOURNMENT

It was moved by Mr. Dunlop, seconded by Mr. King, and unanimously carried that the meeting be adjourned. The meeting adjourned at 5:55 p.m.

Respectfully submitted,



Erwin R. Tanjuaquio
Agency Secretary

APPROVED:

May 1, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
27TH DAY OF MARCH 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 27th day of March, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Benny Y. Yee, President
Leroy King, Vice President
Mark Dunlop
Kathryn C. Palamountain
Ramon E. Romero
Michal Foriest Settles
Darshan Singh

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and the following was absent:

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The President declared that a quorum was present.

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James B. Morales, Executive Director, and staff members were also present.

Herbert Donaldson Parliamentarian, was also present

MATTERS OF NEW BUSINESS – CONSENT AGENDA

4 (a) Approval of Minutes: Meeting of February 6, 2001

Commissioner Foriest Settles requested that a summary of the public testimony regarding Commissioners King and Dunlop be included in the minutes.

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNLOP, AND UNANIMOUSLY CARRIED THAT CONSENT AGENDA ITEM 4(a), APPROVAL OF MINUTES FOR THE MEETING OF FEBRUARY 6, 2001, AS AMENDED, BE ADOPTED.

NEW BUSINESS – REGULAR AGENDA

- 4 (b)** Resolution No. 48-2001, Authorizing the Executive Director to enter into a Personal Services Contract with the Filipino-American Development Foundation, a California non-profit public benefit corporation, Inc., in an amount not to exceed \$40,000, for the planning and development of The Bayanihan Community Center at the Delta Hotel located at 80-88 Sixth Street; South Of Market Earthquake Recovery Redevelopment Project Area

Presenters: Isabella Wong (Agency Staff), Teresa Vergel (TODCO),
Bernadette Borja Sy (Filipino-American Development
Foundation), Wayne Barslow, Rolando Barlan (Architects)

ADOPTION: IT WAS MOVED BY MR. SINGH, SECONDED BY MR. KING, THAT ITEM 4(b), RESOLUTION NO. 48-2001, AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A PERSONAL SERVICES CONTRACT WITH THE FILIPINO-AMERICAN DEVELOPMENT FOUNDATION, A CALIFORNIA NON-PROFIT PUBLIC BENEFIT CORPORATION, INC., IN AN AMOUNT NOT TO EXCEED \$40,000, FOR THE PLANNING AND DEVELOPMENT OF THE BAYANIHAN COMMUNITY CENTER AT THE DELTA HOTEL LOCATED AT 80-88 SIXTH STREET; SOUTH OF MARKET EARTHQUAKE RECOVERY REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED “AYE”:

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

AND THE FOLLOWING WERE ABSENT.

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SEVEN (7) AYES.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 48-2001 IS ADOPTED.

- 4 (c)** Resolution No. 49-2001, Authorizing the Executive Director to Apply to the California Housing Finance Agency for \$2 million in Housing Enabled By Local Partnership (Help) funds; Mission Bay Redevelopment Project Areas

Presenters: Matthew Schwartz (Agency staff)

Commissioner Dunlop asked if there was a fallback should the funding request be rejected and when the funding decision would be made.

Commissioner Foriest Settles asked if there was a dollar limitation on what the Agency can be allocated and if there were any Federal funding programs for such projects.

President Yee asked what the remaining balance is for the original \$100 million housing fund.

Commissioner Singh asked who makes the decision for allocating the funds and how much is allocated annually.

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MR. DUNLOP, THAT ITEM 4(c), RESOLUTION NO. 49-2001, AUTHORIZING THE EXECUTIVE DIRECTOR TO APPLY TO THE CALIFORNIA HOUSING FINANCE AGENCY FOR \$2 MILLION IN HOUSING ENABLED BY LOCAL PARTNERSHIP (HELP) FUNDS; MISSION BAY REDEVELOPMENT PROJECT AREAS, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED “AYE”:

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

AND THE FOLLOWING WERE ABSENT.

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SEVEN (7) AYES.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 49-2001 IS ADOPTED.

- 4 (d) Workshop on the Agency's Personnel Policy, Chapter IV Separations, Chapter V Hours of Work, and Chapter VI Leave

Presenters: Ora Williams (Agency staff)

Speakers: James Bryant (SEIU)

Commissioner Foriest Settles thanked Ora Williams for her hard work on the very tedious task of presenting the personnel policy. Ms. Foriest Settles asked the following questions: (1) who is the appointing authority for the Agency, (2) what is the basis for providing 32 hours for employees seeking other employment, (3) does administrative leave requests have to be approved by the Executive Director, (4) are suspension days calendar or business days, (5) what is standard practice for the discharge of employees, (6) are the Agency offices open during lunch periods, (7) which staff gets compensatory time off and overtime pay and what is the rate of accumulation, (8) why were there extra floating holidays in the years 1995, 1996 and 1997, (9) do employees need out of State documentation for bereavement leave, and (10) what is the sick leave transfer limit for employees and what is the donation rate.

Commissioner Palamountain asked about the sick leave accumulation based on attendance and is there a reasonable accommodation policy pursuant to the American with Disabilities Act (ADA). Ms. Palamountain asked that a copy of the ADA policy be provided to her.

President Yee asked if there was a hearing prior to the discharge of employees and if such hearing is before the Executive Director. Mr. Yee asked how many hearings the employee(s) get and who pays for the arbitration costs.

PERSONS WISHING TO ADDRESS THE MEMBERS ON NON-AGENDA, BUT AGENCY RELATED MATTERS.

Rick Mariano, Harry Jamerson

REPORT OF THE PRESIDENT

- Asked about the Board of Supervisors Resolution on Standards of Conduct if it actually passed since the Mayor had not signed it.

- Asked why the Agency Secretary is included in the Disclosure Policy and asked why other managers are not included. Mr. Yee remarked that staff who are managers make important decisions and should be included in the Disclosure Policy.
- Commissioner King requested copies of the meeting audiotapes of February 6th.
- Commissioner Romero commented that he read the minutes and his recollection of the meeting are reflected in the minutes.

REPORT OF THE EXECUTIVE DIRECTOR

- (a) Issuance of a Request for Proposals ("RFP") for the development of 988-992 Howard Street.
- Executive Director Morales reported on the above noticed item and the following discussion and questions ensued.
 - Commissioner Palamountain thanked Aaron Krasnow for the detailed memorandum and asked if HUD has minimum unit sizes for such developments. Ms. Palamountain asked if there was a study on how much smaller units cost and requested that a study be conducted on comparative costs for various unit sizes.
 - Commissioner Foriest Settles stated her support for staff's recommendation, but expressed concerns about the units not having cooking facilities. Ms. Foriest Settles asked what size family could occupy the small, 150 square-foot units.
 - Commissioner Dunlop commended staff and agreed with staff's rationale on the bathroom facilities. Mr. Dunlop asked the number of handicapped-accessible units in the development and what percentage of the units are required to be handicapped-accessible. Mr. Dunlop requested staff to look into the amenities provided for the units.
 - President Yee asked if the 60-day response time for the RFP is sufficient. Mr. Yee asked if staff had looked at the possibility of a variance if the development density is limited, which might provide for more units with increased square footage, say 300 square feet.
- Executive Director Morales continued his report and reminded the Commissioners to complete their Form 700 (Conflict of Interest) and submit them to the Agency Secretary.
- Informed the Commission of a tour of AIMCO properties in Hunters Point.
- Informed the Commission of a Board of Supervisors Committee hearing on clean-up efforts in the Hunters Point Shipyard.

COMMISSIONERS' QUESTIONS AND MATTERS

- Agency Secretary Tanjuaquio reminded the Commissioners of their photograph-taking on April 3rd at 3:00 p.m.
- President Yee reminded his fellow Commissioners that although there are differing opinions among the Commissioners, the Commission's main purpose is to serve the public and asked how the Commission can overlook the fact that department heads are not included in the Disclosure Policy.
- Commissioner Foriest Settles congratulated Commissioners King and Dunlop on their reconciliation. Ms. Foriest Settles stated she was pleased that the Deputy Executive Director/Finance position has been filled and asked when the person would be starting. She complemented the President, Vice-President and Executive Director for maintaining a balanced Commission meeting. She asked for an explanation of the Agency's by-laws, on page 4-8, where it states that the members appoint the officers of the Agency. She commented that the Commission could finish up the review of the personnel policy by next week's meeting. She asked if the Board of Supervisors Resolution on Standards of Conduct was directed to Agency staff. Ms. Foriest Settles inquired about Mary Rogers' well being, if she was recovering from her illness. She requested a report on the progress of the African-American Museum.
- Commissioner Dunlop asked if the daylong meeting on the African-American Museum included the Mayor-appointed Ad-Hoc Committee and if there was consensus from the community.

CLOSED SESSION

- (a) Pursuant to Government Code §54956.8 to instruct the Agency's real property negotiator with respect to terms of payment regarding ground lease with Fillmore Renaissance Associates LLP, Parcel 732-A; Western Addition A-2 Redevelopment Project Area. Agency negotiators: Shirley Wysinger, Darby Kremers and Ricky Tijani.

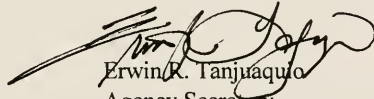
Item (a) above was continued to the April 3rd Meeting.

- (b) Pursuant to Government Code §54956.8 to instruct the Agency's real property negotiator with respect to terms of payment regarding land lease rental rates with Delancey Street Foundation, Site J, Assessor's Block 3790, Lot 1, Assessor's Block 3791, Lot 1 and a portion of Fremont Street, all bounded by The Embarcadero, Brannan and First Streets, Rincon Point – South Beach Redevelopment Project Area. Agency negotiators: Helen Sause, Amy Neches and Darby Kremers.

ADJOURNMENT

It was moved by Mr. Singh, seconded by Ms. Foriest Settles, and unanimously carried that the meeting be adjourned. The meeting adjourned at 7:21 p.m.

Respectfully submitted,



Erwin R. Tanjuaquilo
Agency Secretary

APPROVED:

May 8, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
3RD DAY OF APRIL 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 3rd day of April, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Benny Y. Yee, President
Leroy King, Vice President
Mark Dunlop
Kathryn C. Palamountain
Ramon E. Romero
Michal Foriest Settles
Darshan Singh

DOCUMENTS DEPT.

and the following was absent:

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The President declared that a quorum was present.

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James B. Morales, Executive Director, and staff members were also present.

MATTERS OF NEW BUSINESS – CONSENT AGENDA

- 4 (a) Approval of Minutes: Meeting of February 13, 2001
- 4 (b) Resolution No. 50-2001, Authorizing a First Amendment to the Amended and Restated Housing Opportunities for Persons With AIDS (HOPWA) Capital Loan Agreement to the Housing Services Affiliate of the Bernal Heights Neighborhood Center (HSA) to Revise the Commencement and Completion Dates for Rehabilitation Work to be Completed at Stinson House located at 119-121 Holly Park Circle
- 4 (c) Resolution No. 51-2001, Authorizing a First Amendment to the Amended and Restated Housing Opportunities for Persons With AIDS (HOPWA) Capital Loan Agreement to the Housing Services Affiliate of the Bernal Heights Neighborhood Center (HSA) to Revise the Commencement and Completion Dates for the Rehabilitation Work to be Completed at Precita House located at 416 Precita A & B at Alabama Street

- 4 (d) Resolution No. 52-2001, Authorizing a First Amendment to the Amended and Restated Housing Opportunities for Persons With AIDS (HOPWA) Capital Loan Agreement to the Housing Services Affiliate of the Bernal Heights Neighborhood Center (HSA) to Revise the Commencement and Completion Dates for the Rehabilitation Work to be Completed at Hazel Betsy House located at 3554-Seventeenth Street
- 4 (e) Resolution No. 53-2001, Authorizing the Executive Director to enter into a Second Amendment to the Personal Services Contract with Emily Rogers to extend the Time of Completion from April 7, 2001 to June 30, 2001 and to Increase the Amount of Compensation by \$12,000, for an aggregate amount not to exceed \$104,000 for a twenty-six month period, for Secretarial/Coordinating Services for the Bayview Hunters Point Project Area Committee; Bayview Hunters Point Redevelopment Survey Area

ADOPTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MS. PALAMOUNTAIN, AND UNANIMOUSLY CARRIED THAT CONSENT AGENDA ITEMS 4(a), APPROVAL OF MINUTES FOR THE MEETING OF FEBRUARY 13, 2001, 4(b) RESOLUTION NO. 50-2001, AUTHORIZING A FIRST AMENDMENT TO THE AMENDED AND RESTATED HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) CAPITAL LOAN AGREEMENT TO THE HOUSING SERVICES AFFILIATE OF THE BERNAL HEIGHTS NEIGHBORHOOD CENTER (HSA) TO REVISE THE COMMENCEMENT AND COMPLETION DATES FOR REHABILITATION WORK TO BE COMPLETED AT STINSON HOUSE LOCATED AT 119-121 HOLLY PARK CIRCLE, 4 (c) RESOLUTION NO. 51-2001, AUTHORIZING A FIRST AMENDMENT TO THE AMENDED AND RESTATED HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) CAPITAL LOAN AGREEMENT TO THE HOUSING SERVICES AFFILIATE OF THE BERNAL HEIGHTS NEIGHBORHOOD CENTER (HSA) TO REVISE THE COMMENCEMENT AND COMPLETION DATES FOR THE REHABILITATION WORK TO BE COMPLETED AT PRECITA HOUSE LOCATED AT 416 PRECITA A & B AT ALABAMA STREET, 4 (d) RESOLUTION NO. 52-2001, AUTHORIZING A FIRST AMENDMENT TO THE AMENDED AND RESTATED HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) CAPITAL LOAN AGREEMENT TO THE HOUSING SERVICES AFFILIATE OF THE BERNAL HEIGHTS NEIGHBORHOOD CENTER (HSA) TO REVISE THE COMMENCEMENT AND COMPLETION DATES FOR THE REHABILITATION WORK TO BE COMPLETED AT HAZEL BETSY HOUSE LOCATED AT 3554-SEVENTEENTH STREET, AND

4 (e) RESOLUTION NO. 53-2001, AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A SECOND AMENDMENT TO THE PERSONAL SERVICES CONTRACT WITH EMILY ROGERS TO EXTEND THE TIME OF COMPLETION FROM APRIL 7, 2001 TO JUNE 30, 2001 AND TO INCREASE THE AMOUNT OF COMPENSATION BY \$12,000, FOR AN AGGREGATE AMOUNT NOT TO EXCEED \$104,000 FOR A TWENTY-SIX MONTH PERIOD, FOR SECRETARIAL/COORDINATING SERVICES FOR THE BAYVIEW HUNTERS POINT PROJECT AREA COMMITTEE; BAYVIEW HUNTERS POINT REDEVELOPMENT SURVEY AREA, BE ADOPTED.

NEW BUSINESS – REGULAR AGENDA

- 4 (f) Resolution No. 54-2001, Conditionally Approving the Schematic Design for Parcel 3 of Block N3a, a 100 unit residential project in the Mission Bay North Redevelopment Project Area, pursuant to an Owner Participation Agreement with Catellus Development Corporation; Mission Bay North Redevelopment Project Area

Presenters: Amy Neches (Agency Staff), Ernie Vasquez(Architects), Derf Butler

Speakers: Corinne Woods, (Mission Bay CAC), Bob Isaacson (Mission Creek Conservancy)

Commissioner Singh asked for a list of contractors for the project, specifically Indian firms.

Commissioner Dunlop acknowledged the CAC's concern with the proposed plaza and asked about the Parcel N4 affordable housing project. Mr. Dunlop asked what is a mixed-income building and is the building going to stand out. Mr. Dunlop asked if the amenities for the affordable units would be identical to the market-rate units. Mr. Dunlop felt that there were serious issues raised about the plaza in particular the location of the retail, and asked staff why the memorandum stated that there is consensus among the CAC when Bob Isaacson raised issues about the plaza.

Commissioner Romero echoed the same concerns as Commissioner Dunlop but liked the visually attractive design.

Commissioner Foriest Settles asked the original location of the retail envisioned by the community within the park design and based upon the park layout, what would be the draw (attraction) to the park to non-residents

because the park looks like a private space. Ms. Foriest Settles asked if there would be play structures provided in the park and if the community was aware of the rationale to not dilute the pavilion building retail opportunity. She asked if barriers would be provided along the water's edge. Ms. Foriest Settles stated her support but encouraged continued open communication with the public.

Commissioner Palamountain asked for an explanation about the gap in the design element and the view corridor. Ms. Palamountain stated her appreciation for the good design. She asked for the square footage of the proposed retail use and the pavilion. She also asked if the retail would be privately owned. Ms. Palamountain stated that she looked forward to seeing the Childcare Plan and thought that retail was not needed everywhere, but to communicate with the public. Ms. Palamountain applauded the developer and staff for their good work.

President Yee echoed his fellow Commissioners sentiments and stated that the Commission takes into serious consideration the comments from the public.

ADOPTION: IT WAS MOVED BY MR. SINGH, SECONDED BY MS. FORIEST SETTLES, AND UNANIMOUSLY CARRIED THAT ITEM 4(f), RESOLUTION NO. 54-2001, CONDITIONALLY APPROVING THE SCHEMATIC DESIGN FOR PARCEL 3 OF BLOCK N3A, A 100 UNIT RESIDENTIAL PROJECT IN THE MISSION BAY NORTH REDEVELOPMENT PROJECT AREA, PURSUANT TO AN OWNER PARTICIPATION AGREEMENT WITH CATELLUS DEVELOPMENT CORPORATION; MISSION BAY NORTH REDEVELOPMENT PROJECT AREA, BE ADOPTED

- 4 (g) Resolution No. 55-2001, Authorizing the Executive Director to re-enter Exclusive Negotiations with Asian, Inc., for the Disposition of an Agency owned parcel at 474 Natoma Street to develop affordable housing for first time homebuyers; South Of Market Earthquake Recovery Redevelopment Project Area

Presenters: Olson Lee (Agency staff), Chris Reyes (Asian Inc.)

Speakers: Antoinetta Stadlman (SOM PAC)

President Yee asked the cost estimates for the proposed project.

Commissioner Singh asked why exclusive negotiations are with Asian Inc. only and why did the Agency not issue an RFP for the project.

Commissioner Palamountain asked about the 22% increase in development cost and 38% in subsidy rate increases. Ms. Palamountain asked who is responsible for the soils analysis and if there were any delays due to the weather. Ms. Palamountain stated that she supports the item but is wary of the cost increases and remarked that the public should not pay for delays.

Commissioner Romero had the same concerns as other Commissioners and pointed out that the developer has not met any of the deadlines in the Exclusive Negotiations Agreement. Mr. Romero advised that the Commission will be watching the progress of this development closely and the need to be efficient.

Commissioner Dunlop stated his concerns about concessions made to the developer, cost increases and paying more than the original bid for the project. Mr. Dunlop stated that he was uncertain about the developer's capability to complete the project and that it is unfortunate that the Agency does not have a public offering policy. Mr. Dunlop commented that the property should be re-offered and asked why the developer still has no permit to enter.

Commissioner Foriest Settles asked for clarification on recital no. 4 on the resolution regarding re-entering exclusive negotiations with the developer for an additional 60 days.

Commissioner Singh stated that he would have a hard time voting for the item and that the property should be re-offered.

Commissioner King stated his opposition to the item because of the cost increases which results in throwing public money away and the developer knew the requirements.

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNLOP, THAT ITEM 4(g), RESOLUTION NO. 55-2001, AUTHORIZING THE EXECUTIVE DIRECTOR TO RE-ENTER EXCLUSIVE NEGOTIATIONS WITH ASIAN, INC., FOR THE DISPOSITION OF AN AGENCY OWNED PARCEL AT 474 NATOMA STREET TO DEVELOP AFFORDABLE HOUSING FOR FIRST TIME HOMEBUYERS; SOUTH OF MARKET EARTHQUAKE RECOVERY REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Ms. Palamountain
Mr. Romero
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

Mr. King
Ms. Foriest Settles
Mr. Singh

AND THE FOLLOWING WERE ABSENT.

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FOUR (4) AYES AND THREE (3) NOES.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 55-2001 IS ADOPTED.

- 4 (h) Resolution No. 56-2001, Public Hearing and Authorizing the Executive Director to execute a Disposition and Development Agreement with Habitat for Humanity for development of 1009 Mission Street, South of Market Earthquake Recovery Redevelopment Project Area

Presenters: Lucia Mele (Agency staff)

Speakers: Skip Allyn, March Wong, Antoinetta Stadlman (SOM PAC)

Commissioners King and Romero stated their support for the item.

Commissioner Foriest Settles expressed her great respect for Habitat for Humanity’s work and asked if the homeowner could sell the property and if there were any limitations on the sale of the property.

ADOPTION: IT WAS MOVED BY MR. KING, SECONDED BY MR. DUNLOP, THAT ITEM 4(h), RESOLUTION NO. 56-2001, AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A DISPOSITION AND DEVELOPMENT AGREEMENT WITH HABITAT FOR HUMANITY FOR DEVELOPMENT OF 1009 MISSION STREET, SOUTH OF MARKET EARTHQUAKE RECOVERY REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED “AYE”:

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero

Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

AND THE FOLLOWING WERE ABSENT.

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SEVEN (7) AYES.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 56-2001 IS ADOPTED.

- 4 (j) Workshop on the Agency’s Personnel Policy, Chapter VII Compensation, Chapter VIII Retirement, Insurance and Savings Programs.

Presenters: Ora Williams (Agency staff)

Commissioner Foriest Settles asked about the compensation policy, step increases and intervals and are there equal rates of increases. Ms. Foriest Settles asked how frequent wyrating employees’ salaries occur, terminal pay, and vision benefits. Ms. Foriest Settles asked who administers the Deferred Compensation Plan for the Agency.

Commissioner Dunlop requested to not have the Personnel Policy workshop on the April 10th meeting since the Commission is holding that meeting in the Bayview.

President Yee suggested a compromise to keep the workshop on the April 10th Agenda and if the meeting is lengthy, the workshop would be continued to April 17th.

REPORT OF THE PRESIDENT

- Attended Giants Baseball Opening Day at PacBell Park with fellow Commissioners and staff.

REPORT OF THE EXECUTIVE DIRECTOR

- Informational memorandum regarding Japantown Planning Preservation and Development Task Force.
- Informational memorandum regarding the Filipino-American Cultural Center within the proposed Bloomingdale's development.
- Informational memorandum regarding Accounting Conference attended by Grace Yip.
- Board of Supervisors hearing on Shipyard clean-up effort – suggestions by the Board to re-order the sequence of the clean-up of the parcels, before conveyance to the City
- Attended meeting at Bessie Carmichael Elementary School called by Supervisor Chris Daly and included representatives from other City departments (Recreation and Park Dept., School District). Currently not part of the South of Market Project Area, but is proposed to be added as part of the Plan Amendment, with the proposed development to include a new elementary school and a park. School District has no funds and is looking to the State for funding. Agency would work with School District to identify potential funding sources.
- Grand opening of the Autumn Glow Elderly Self Help Alzheimer's Facility on April 18th.
- Community Workshop to review the South of Market Redevelopment Plan Amendment on April 5th at 6:00 p.m. Possibility of a workshop with the Mid-Market PAC before the Commission
- Deputy Executive Director/Finance selected candidate, Ms. Bose has declined the position due to family matters

COMMISSIONERS' QUESTIONS AND MATTERS

- Commissioner Dunlop thanked staff for Japantown report and asked about the status of the 49er Stadium deal in the Bayview. Mr. Dunlop suggested to add an item on the agenda where the Agency Secretary would provide a report (following the Director's report) on disclosures and relevant announcements and/or events. Mr. Dunlop made a motion to put this matter on the April 17th meeting. Commissioner Foriest Settles seconded the motion.
- Commissioners King and Singh stated their opposition to this motion.
- Commissioner Romero asked for the Director's comments on the motion.
- Commissioner King asked why the Board of Supervisors is looking into the clean-up issues at the Shipyard and remarked that the Agency is responsible for negotiations at the Shipyard.

- Commissioner Palamountain thanked the Director for his report on the Board of Supervisors hearing on clean-up issues at the Shipyard and shared her concerns about health issues in the community. Ms. Palamountain asked for clarifications on comments made by the EPA representative and requested copies of EPA reports on the clean-up efforts and inquired about monitoring by the Department of Health.
- Commissioner King pointed out that the Agency has Public Health records of the parcels in the Shipyard.
- President Yee expressed his concerns about ensuring clean and healthy conditions in the Shipyard and asked about the Police Department building and the clean-up sequence for the parcels. Mr. Yee asked if the Board of Supervisors is going to be proposing legislation about the clean up.
- Commissioner Singh asked for a status report on the BAYCAT project.

MOTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MS. FORIEST SETTLES, TO PLACE ON THE APRIL 17TH COMMISSION MEETING AGENDA, A WORKSHOP ON POSSIBLE AMENDMENT TO THE AGENCY'S BY-LAWS THAT WOULD PERMIT, AS AN ORDER OF BUSINESS, THE AGENCY SECRETARY TO REPORT ON THE AGENCY COMMISSIONERS' AND OFFICERS' DISCLOSURES OF OUTSIDE CONTACTS AS WELL AS OTHER RELEVANT ANNOUNCEMENTS, AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

AND THE FOLLOWING WERE ABSENT.

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SEVEN (7) AYES.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION CARRIED.

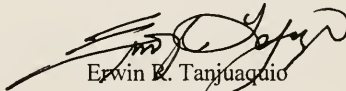
CLOSED SESSION

- (a) Pursuant to Government Code §54956.8 to instruct the Agency's real property negotiator with respect to terms of payment regarding ground lease with Fillmore Renaissance Associates LLP, Parcel 732-A; Western Addition A-2 Redevelopment Project Area. Agency negotiators: Shirley Wysinger, Darby Kremers and Ricky Tijani.
- (b) Pursuant to Government Code §54957.6 to instruct the Agency's designated representatives to negotiate with San Francisco Redevelopment Employees Association. Agency designated representatives: James B. Morales, Ora Williams and Chris Iglesias.

ADJOURNMENT

It was moved by Ms. Foriest Settles, seconded by Mr. Dunlop, and unanimously carried that the meeting be adjourned. The meeting adjourned at 8:41 p.m.

Respectfully submitted,



Erwin E. Tanjuagiao
Agency Secretary

APPROVED: (AS AMENDED)

May 8, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
10TH DAY OF APRIL 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at the Southeast Community Facility, Alex L. Pitcher, Jr. Community Room, 1800 Oakdale Avenue, in the City of San Francisco, California, at 4:00 p.m. on the 10th day of April, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Benny Y. Yee, President
Leroy King, Vice President
Mark Dunlop
Ramon E. Romero
Michal Foriest Settles
Darshan Singh

and the following was absent:

Kathryn C. Palamountain

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The President declared that a quorum was present.

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James B. Morales, Executive Director, and staff members were also present.

MATTERS OF NEW BUSINESS – REGULAR AGENDA

- 4 (a) Workshop on the status of the Bayview Hunters Point Revitalization Concept Plan and the proposed redevelopment plan

Presenters: Stan Muraoka (Agency staff)

Speakers: Dennis Tsai, Oscar James, Dwayne Jones, John Adams, Espanola Jackson, Mohammed Nuru, Tiffany Wilks, Walter Braud, Ena Aguirre, Marie J. Franklin, Ollie M. Burgess, Dorris M. Vincent, Emily Rogers, Charlie Walker, Rev. Arelious Walker, Marie Harrison, Jack Fleck

President Yee asked the Director and staff for responses to questions raised by speakers regarding affordable housing, 3rd Street Light Rail project and economic development concerns. Mr. Yee asked if the Agency could help the Young Community Developers (YCD) with employment opportunities.

Commissioner Foriest Settles thanked the community for inviting the Commission and stated that she was glad to see other representatives of other City departments in attendance. Ms. Foriest Settles encouraged working together and to ensure outreach to the community.

Commissioner Dunlop commended Mohammed Nuru and the Project Area Committee on their good work on the Concept Plan. Mr. Dunlop suggested that flyers of community meetings are a good idea. Mr. Dunlop acknowledged one of the public speaker's (Tiffany Wilks) questions regarding having a place to live after finishing high school given the high cost of housing in the City.

Commissioner King remarked that it was nice to be in the community and pointed out that the concept of community ownership is not discussed in the Concept Plan.

- 4 (b)** Workshop on the status of the Hunters Point Shipyard negotiations and the Bayview Hunters Point Center for Arts and Technology (BAYCAT) project

Presenters: Don Capobres (Agency staff)

Speakers: Marie J. Franklin, Michelle Daniels, Espanola Jackson, Ena Aguirre, Ellen Hayes, Charlie Walker, Willie Ratcliff, Jesse Mason
Marie Harrison, Sam LeBlanc

- 4 (c)** Workshop on the Agency's Budget Process

Presenters: Stan Muraoka, Don Capobres (Agency staff)

Speakers: Marie J. Franklin, Espanola Jackson, Regina Davis

- 4 (d)** Workshop on the Proposals submitted in response to the offering of Agency property for the development of low income first-time homeownership, Site EE-2; Hunters Point Redevelopment Project Area

Presenters: Lucia Mele (Agency staff), Keith Lennon, Jesse Mason (BVHP First Community Development Corp., BVHP Community Advocates), Johnny Anguiano (HCDC), Regina Davis, Ron Jones (SFHDC), Michael Johnson, Derf Butler, Kitara Sapoor (Habitat for Humanity)

Speakers: Marie Harrison, Espanola Jackson, Michael Harris, Michelle Daniels, James Branch

Commissioner Singh asked how much is the appraisal for the property and if the sales price include the cost of the land. Mr. Singh asked if this was the first time Habitat for Humanity is part of a joint venture.

Commissioner Foriest Settles asked when the approval of the development would come before the Commission.

- 4 (e) Workshop on the Agency's Personnel Policy, Chapter IX Employee's Responsibility and X Appeals.

MOTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MR. ROMERO, THAT ITEM 4(e) WORKSHOP ON THE AGENCY'S PERSONNEL POLICY, CHAPTER IX EMPLOYEE'S RESPONSIBILITY AND X APPEALS, BE CONTINUED TO THE COMMISSION MEETING OF APRIL 17, 2001, AND ON ROLL CALL THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Mr. Romero
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

AND THE FOLLOWING WERE ABSENT.

Ms. Palamountain

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES, ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION CARRIED.

PERSONS WISHING TO ADDRESS THE MEMBERS ON NON-AGENDA, BUT AGENCY-RELATED MATTERS:

Espanola Jackson, Algerine Clayton, Ulysses J. Montgomery

REPORT OF THE PRESIDENT

- Expressed delight in holding the Commission meeting in the Bayview community.
- Informed the Commission that he could not attend the April 19th BAYCAT Workshop.
- Informed the Commission of letters sent by Esprit Park

REPORT OF THE EXECUTIVE DIRECTOR

- South of Market meeting on the Draft Redevelopment Plan
- Board of Supervisors letter regarding performance audits
- Draft of Agency newsletter

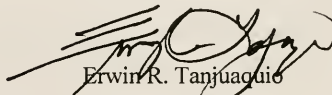
COMMISSIONERS' QUESTIONS AND MATTERS

- Commissioner Foriest Settles thanked the Bayview community and Agency staff for holding the meeting in the community. Ms. Foriest Settles shared that she attended the "topping-off" ceremony at 55 Second Street in Yerba Buena Center.
- Commissioner Singh thanked the community for attending the meeting.

ADJOURNMENT

It was moved by Mr. Dunlop, seconded by Mr. King, and unanimously carried that the meeting be adjourned. The meeting adjourned at 8:10 p.m.

Respectfully submitted,


Erwin R. Tanjuaquio
Agency Secretary

APPROVED:

May 15, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
17TH DAY OF APRIL 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 17th day of April, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Benny Y. Yee, President
Leroy King, Vice President
Mark Dunlop
Kathryn C. Palamountain
Ramon E. Romero
Michal Foriest Settles
Darshan Singh (arrives @ 4:05 p.m.)

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and the following was absent:

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The President declared that a quorum was present.

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The Commission met as the Housing Committee of the Affordable Housing and Home Ownership Bond Program before commencing the Regular Meeting Agenda.

James B. Morales, Executive Director, and staff members were also present.

MATTERS OF UNFINISHED BUSINESS

- 3 (a) Workshop on the Agency's Personnel Policy, Chapter IX Employee's Responsibility and X Appeals.

Executive Director Morales suggested that this item be taken up after the regular agenda. The Commission consented.

MATTERS OF NEW BUSINESS – CONSENT AGENDA

- 4 (a) Approval of Minutes: Meetings of February 20 and 27, 2001

- 4 (b) Resolution No. 57-2001, Authorizing Olson Lee, Housing Program Manager, to attend the National Association of Local Finance Housing Agencies Spring Educational conference in San Diego California on April 26-28, 2001 at a cost not to exceed \$1,092.00
- 4 (c) Resolution No. 58-2001, Authorizing a First Amendment to the Housing Opportunities for Persons With Aids (HOPWA) Capital Loan Agreement with Tenderloin Neighborhood Development Corporation, a California nonprofit corporation, to modify the construction commencement date in conjunction with rehabilitation of 134 extremely low income rental units at the Ambassador Hotel, 55 Mason Street, San Francisco
- 4 (d) Resolution No. 59-2001, Authorizing a First Amendment to the Community Development Block Grant Loan Agreement with GP/TODCO-A, a California nonprofit public benefit corporation, to Amend the Schedule of Performance for the Acquisition and Rehabilitation of the Delta Hotel, 80-88 Sixth Street; South Of Market Earthquake Recovery Redevelopment Project Area
- 4 (e) Resolution No. 60-2001, Authorizing the Executive Director to Enter into 1) a First Amendment to the Mortgage Loan Regulatory Agreement with GGA 1820 Post, L.P., a California limited partnership, and Bank of America, N.A., a national banking association, as Bondholder Representative, to revise the Schedule of Performance and Schedule of Tax Credit Investor Disbursements, and 2) a First Supplemental Indenture to the Indenture of Trust to revise the Bond Redemption Schedule, both in connection with the Acquisition and Rehabilitation of the Golden Gate Apartments, 1820 Post Street, in the Western Addition A-2 Redevelopment Project Area; as part of the Agency's Affordable Housing Preservation Program

Commissioner Foriest Settles requested that page 7 of the February 27th minutes be corrected to capitalize the word "Agape."

Commissioner Romero requested that page 9 of the February 27th minutes be corrected to correct the spelling of "Cesar Chavez."

ADOPTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MS. PALAMOUNTAIN, AND UNANIMOUSLY CARRIED THAT
CONSENT AGENDA ITEMS 4(a) APPROVAL OF MINUTES:
MEETINGS OF FEBRUARY 20 AND 27, 2001, AS AMENDED, 4(b)
RESOLUTION NO. 57-2001, AUTHORIZING OLSON LEE, HOUSING
PROGRAM MANAGER, TO ATTEND THE NATIONAL
ASSOCIATION OF LOCAL FINANCE HOUSING AGENCIES SPRING
EDUCATIONAL CONFERENCE IN SAN DIEGO CALIFORNIA ON

APRIL 26-28, 2001 AT A COST NOT TO EXCEED \$1,092.00, 4(c) RESOLUTION NO. 58-2001, AUTHORIZING A FIRST AMENDMENT TO THE HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) CAPITAL LOAN AGREEMENT WITH TENDERLOIN NEIGHBORHOOD DEVELOPMENT CORPORATION, A CALIFORNIA NONPROFIT CORPORATION, TO MODIFY THE CONSTRUCTION COMMENCEMENT DATE IN CONJUNCTION WITH REHABILITATION OF 134 EXTREMELY LOW INCOME RENTAL UNITS AT THE AMBASSADOR HOTEL, 55 MASON STREET, SAN FRANCISCO, 4(d) RESOLUTION NO. 59-2001, AUTHORIZING A FIRST AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT LOAN AGREEMENT WITH GP/TODCO-A, A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION, TO AMEND THE SCHEDULE OF PERFORMANCE FOR THE ACQUISITION AND REHABILITATION OF THE DELTA HOTEL, 80-88 SIXTH STREET; SOUTH OF MARKET EARTHQUAKE RECOVERY REDEVELOPMENT PROJECT AREA, AND 4(e) RESOLUTION NO. 60-2001, AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO 1) A FIRST AMENDMENT TO THE MORTGAGE LOAN REGULATORY AGREEMENT WITH GGA 1820 POST, L.P., A CALIFORNIA LIMITED PARTNERSHIP, AND BANK OF AMERICA, N.A., A NATIONAL BANKING ASSOCIATION, AS BONDHOLDER REPRESENTATIVE, TO REVISE THE SCHEDULE OF PERFORMANCE AND SCHEDULE OF TAX CREDIT INVESTOR DISBURSEMENTS, AND 2) A FIRST SUPPLEMENTAL INDENTURE TO THE INDENTURE OF TRUST TO REVISE THE BOND REDEMPTION SCHEDULE, BOTH IN CONNECTION WITH THE ACQUISITION AND REHABILITATION OF THE GOLDEN GATE APARTMENTS, 1820 POST STREET, IN THE WESTERN ADDITION A-2 REDEVELOPMENT PROJECT AREA; AS PART OF THE AGENCY'S AFFORDABLE HOUSING PRESERVATION PROGRAM, BE ADOPTED.

REGULAR AGENDA

- 4 (f) Resolution No. 61-2001, Authorizing Execution of an Owner Participation Agreement with Esprit De Corp., a California corporation, for Parcel X4 pursuant to the Mission Bay South Redevelopment Plan; Mission Bay South Redevelopment Project Area

Presenters: Amy Neches (Agency staff), Jesse Blout (MOED), Nicola Jones (Esprit)

Speakers: Lynn Brown, Mariuccia Iaconi, Ron Miguel, Carolyn Wright, Nan McGuire, Andrew Detsch, Dick Millet

Commissioner Palamountain gave her admiration to the community, Esprit, the Mayor's Office and Agency staff for the excellent collaborative effort on the project.

Commissioner Foriest Settles thanked and commended Esprit and asked about the maintenance fund for the park.

Commissioner Dunlop thanked Amy Neches, Jesse Blout and Esprit for their great work on the project.

President Yee thanked the community, Esprit and Agency staff for an outstanding job.

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MS. FORIEST SETTLES, AND UNANIMOUSLY CARRIED THAT ITEM 4(f) RESOLUTION NO. 61-2001, AUTHORIZING EXECUTION OF AN OWNER PARTICIPATION AGREEMENT WITH ESPRIT DE CORP., A CALIFORNIA CORPORATION, FOR PARCEL X4 PURSUANT TO THE MISSION BAY SOUTH REDEVELOPMENT PLAN; MISSION BAY SOUTH REDEVELOPMENT PROJECT AREA, BE ADOPTED.

- 4 (g) Resolution No. 62-2001, Authorizing a First Amendment to the Disposition and Development Agreement ("DDA") with Site X Development Associates, LLC, to Extend the Schedule of Performance to April, 2003 and provide an additional \$450,000 in subsidy for the development of ten First-Time Homebuyer Low- and Moderate-Income units at Site X, located on Keith Street near Hudson Avenue; Hunters Point Redevelopment Project Area

Presenters: Lucia Mele (Agency staff), Michael Johnson (E.M. Johnson), Regina Davis (SFHDC)

Speakers: Dorris M. Vincent

Commissioner Singh asked how many applicants were there for the 10 units and how they were selected. Mr. Singh asked is the Executive Director can be a member of the lottery selection panel.

Commissioner King pointed out that certificate holders in the community should be on a separate lottery because they should have the preference for the housing units and should not be included in the same lottery as the broader community.

President Yee stated his support but pointed out that the DDA for this property was approved three years ago and did not anticipate a 32% increase in subsidy. Mr. Yee advised staff that in other future projects, they should be aware, in advance, of site constraints such as soil condition and to advise the Commission of such matters affecting the cost of development.

Commissioner Romero asked why the previous developer, Dukes and Dukes did not succeed in developing the site.

Commissioner Foriest Settles stated that she was pleased with the larger units and asked if there was landscaping for the units.

ADOPTION: IT WAS MOVED BY MR. KING, SECONDED BY MS. PALAMOUNTAIN, AND UNANIMOUSLY CARRIED THAT ITEM 4(g) RESOLUTION NO. 62-2001, AUTHORIZING A FIRST AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT (“DDA”) WITH SITE X DEVELOPMENT ASSOCIATES, LLC, TO EXTEND THE SCHEDULE OF PERFORMANCE TO APRIL, 2003 AND PROVIDE AN ADDITIONAL \$450,000 IN SUBSIDY FOR THE DEVELOPMENT OF TEN FIRST-TIME HOMEBUYER LOW- AND MODERATE-INCOME UNITS AT SITE X, LOCATED ON KEITH STREET NEAR HUDSON AVENUE; HUNTERS POINT REDEVELOPMENT PROJECT AREA, BE ADOPTED.

- 4 (h) Resolution No. 63-2001, Authorizing a First Amendment to the Disposition and Development Agreement with Van Ness Care Center, Inc., a California corporation, for the Purchase and Development of Parcel 714-A(2), located at the northwest corner of Van Ness Avenue and Myrtle Street; Western Addition Redevelopment Project Area A-2

Executive Director Morales advised the Commission that the Developer has requested a two-week continuance of the matter, to the May 1st meeting.

MOTION: IT WAS MOVED BY MR. SINGH, SECONDED BY MR. ROMERO, AND UNANIMOUSLY CARRIED THAT ITEM 4(h) RESOLUTION NO. 63-2001, AUTHORIZING A FIRST AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT WITH VAN NESS CARE CENTER, INC., A CALIFORNIA CORPORATION, FOR THE PURCHASE AND DEVELOPMENT OF PARCEL 714-A(2), LOCATED AT THE NORTHWEST CORNER OF VAN NESS AVENUE AND MYRTLE STREET; WESTERN ADDITION REDEVELOPMENT PROJECT AREA A-2, BE CONTINUED TO THE MEETING OF MAY 1, 2001.

- 4 (i) Resolution No. 64-2001, Authorizing the Eighth Amendment to the Disposition and Development Agreement with the Japanese American Religious Federation Assisted Living Facility, Inc., a California non-profit public benefit corporation, to increase the Grant of Tax Increment Funds by an amount not to exceed \$1,381,000, for a total grant of \$2,606,000, pertaining to the Acquisition, Rehabilitation and New Construction of a 54-Unit Senior Assisted Living Facility at 1881 Bush Street, the southeast corner of Bush and Laguna Streets (Parcel 674-C&F); Western Addition Redevelopment Project Area A-2

Presenters: Judy Eng (Agency staff)

Speakers: Richard Eijima, Seiko Fujimoto, Richard Grange, Chris Durazo, Steve Suzuki, Patricia Shiono

President Yee stated that he is looking forward to the start of construction of the project.

Commissioner Dunlop stated that he doesn't like to see cost-overruns, but see the merit with extending the affordability of the units.

ADOPTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MR. ROMERO, AND UNANIMOUSLY CARRIED THAT ITEM 4(i) RESOLUTION NO. 64-2001, AUTHORIZING THE EIGHTH AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT WITH THE JAPANESE AMERICAN RELIGIOUS FEDERATION ASSISTED LIVING FACILITY, INC., A CALIFORNIA NON-PROFIT PUBLIC BENEFIT CORPORATION, TO INCREASE THE GRANT OF TAX INCREMENT FUNDS BY AN AMOUNT NOT TO EXCEED \$1,381,000, FOR A TOTAL GRANT OF \$2,606,000, PERTAINING TO THE ACQUISITION, REHABILITATION AND NEW CONSTRUCTION OF A 54-UNIT SENIOR ASSISTED LIVING FACILITY AT 1881 BUSH STREET, THE SOUTHEAST CORNER OF BUSH AND LAGUNA STREETS (PARCEL 674-C&F); WESTERN ADDITION REDEVELOPMENT PROJECT AREA A-2, BE ADOPTED.

- 4 (j) Workshop on possible Amendment to the Agency's By-laws that would permit, as an Order of Business, the Agency Secretary to report on the Agency Commissioners' and Officers' disclosures of outside contacts as well as other relevant announcements.

Commissioner Dunlop having suggested this workshop, explained that he thought it makes sense to have a section on the Agenda where the Agency

Secretary has the opportunity to provide a report on disclosures of outside contacts with Commissioners and other relevant Commission matters.

Commissioner Romero stated that he did not understand why the disclosure of outside contacts is being discussed when Commissioners already provide such disclosures to the Agency Secretary.

Commissioner Foriest Settles agreed with Commissioner Romero's comments but wanted to hear from Commissioner Dunlop.

Commissioner Dunlop explained that the purpose for the Agency Secretary's report would include housekeeping and efficiency matters, announcements, general information to the Commission and public, as well as reminders of events and community meetings to the Commission.

President Yee remarked that the Agency Secretary does an outstanding job and the additional burden is not necessary.

Commissioner Foriest Settles suggested to include announcements on either the President or Executive Director's reports.

At this time, the Commission took up the Unfinished Business matter, Item 3 (a).

3 (a) Workshop on the Agency's Personnel Policy, Chapter IX Employee's Responsibility and X Appeals.

Presenters: James B. Morales (Agency staff)

Commissioner Singh asked why the appeal of employees under disciplinary action is not to the Commission, specifically the Agency Secretary.

Commissioner Foriest Settles asked the following questions: (1) policy on publicity, (2) limitation on expenditure of Agency funds, (3) outside paid employment, (4) notification procedure of former employees, commissioners, consultants regarding prohibited activities, and (5) who grants the waiver for prohibited activities of former commissioners. Ms. Foriest Settles remarked that if appeals are made to the Director, it does not seem like an appeal, since the disciplinary action is approved by the Director.

Commissioner Singh pointed out that if the Director appoints the 3-member appeal panel, it does not seem like an appeal when it is the Director who hires, take action and decides on appeals from employees.

Commissioner King stated that the Commission is just discussing the policies and after conclusion of the labor negotiations, the Commission can take action to revise the policies.

Commissioner Romero said to expect other bargaining units to have grievance procedures.

PERSONS WISHING TO ADDRESS THE MEMBERS ON NON-AGENDA, BUT AGENCY-RELATED MATTERS:

Arnold Townsend

REPORT OF THE PRESIDENT

- Asian Inc.'s letter indicated that the increase in development cost for 474 Natoma was due to additional square footage of the development. Mr. Yee advised staff to provide all pertinent information to the Commission.

REPORT OF THE EXECUTIVE DIRECTOR

- (a) Status of the development of the St. Regis Museum Tower on Parcel EB-2A, Yerba Buena Center Redevelopment Project Area

Speakers: Arnold Townsend

Commissioner Singh asked if the developer would have been awarded the project if it had fewer hotel rooms.

Commissioner Dunlop asked what the parking costs would be for patrons of the African-American Cultural Institute. Mr. Dunlop remarked that parking is very expensive for the public in that area of the City.

Commissioner King stated his support for the project.

- Announced opening of the Autumn Glow residential care facility on April 18th at 4:00 p.m.
- April 19th Bayview PAC meeting at 6:00 p.m. – BAYCAT presentation
- Peace Plaza re-dedication ceremony
- April 24th at 11:00 a.m. – Notre Dame Apartments purchase ceremony
- Master List of Agency projects, including contracts

COMMISSIONERS' QUESTIONS AND MATTERS

- Commissioner Romero asked about Arnold Townsend's comments regarding funding for Agape Outreach Center, specifically who the developer is for the project.
- Commissioner Dunlop thanked staff for preparing the Master List
- Commissioner Foriest Settles asked about the status of Rincon Center. Ms. Foriest Settles suggested that Agency staff who travels attending seminars, conferences, etc. provide a report to the Commission of the sessions attended. Ms. Foriest Settles inquired about the PERS medical benefits. She asked if she could provide comments on the Agency's newsletter and apologized to Olson Lee for the missed appointment to tour housing projects.

CLOSED SESSION

- (a) Pursuant to Government Code §54956.8 to instruct the Agency's real property negotiator with respect to terms of payment regarding ground lease with Fillmore Renaissance Associates LLP, Parcel 732-A; Western Addition A-2 Redevelopment Project Area. Agency negotiators: Shirley Wysinger, Darby Kremers and Ricky Tijani.

This item (a) was continued to May 1, 2001

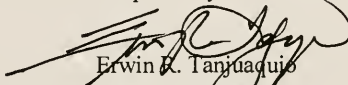
- (b) Pursuant to Government Code §54956.8 to instruct the Agency's real property negotiator with respect to terms of payment regarding land lease rental rates with Delancey Street Foundation, Site J, Assessor's Block 3790, Lot 1, Assessor's Block 3791, Lot 1 and a portion of Fremont Street, all bounded by The Embarcadero, Brannan and First Streets, Rincon Point – South Beach Redevelopment Project Area. Agency negotiators: Helen Sause, Amy Neches and Darby Kremers.

This item (b) was continued to April 24, 2001

ADJOURNMENT

It was moved by Ms. Palamountain, seconded by Mr. Singh, and unanimously carried that the meeting be adjourned. The meeting adjourned at 7:21 p.m.

Respectfully submitted,


Erwin R. Tanjuaquio
Agency Secretary

APPROVED:

May 15, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
24TH DAY OF APRIL 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 24th day of April, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Leroy King, Vice President
Mark Dunlop
Kathryn C. Palamountain
Ramon E. Romero
Michal Foriest Settles
Darshan Singh

and the following was absent:

Benny Y. Yee, President

DOCUMENTS DEPT.

The President declared that a quorum was present.

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James B. Morales, Executive Director, and staff members were also present.

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Leroy King, Vice President was Acting Chairperson in President Benny Y. Yee's absence.

MATTERS OF NEW BUSINESS – CONSENT AGENDA

4 (a) Approval of Minutes: Meeting of March 6, 2001

Commissioner Foriest Settles requested that page one of the March 6th minutes under Report on Actions taken at previous Closed Session, be revised to correct the sentence structure (grammatical error).

4 (b) Resolution No. 65-2001, Authorizing Attendance by Ricky Tijani, Senior Development Specialist, at the National Institute of Government Innovation's Forum on Business Improvement Districts in San Diego from June 18-19, 2001, at a cost not to exceed \$2,095

Commissioner Foriest Settles requested that the requirement to provide a report back to the Commission on travel authorizations be included in the body of the travel authorization resolution. **The Commission unanimously consented to this request.**

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MS. PALAMOUNTAIN, AND UNANIMOUSLY CARRIED (MR. YEE ABSENT) THAT CONSENT AGENDA ITEMS 4(a) APPROVAL OF MINUTES: MEETING OF MARCH 6, 2001, AS AMENDED, AND 4(b) RESOLUTION NO. 65-2001 AS AMENDED, AUTHORIZING ATTENDANCE BY RICKY TIJANI, SENIOR DEVELOPMENT SPECIALIST, AT THE NATIONAL INSTITUTE OF GOVERNMENT INNOVATION'S FORUM ON BUSINESS IMPROVEMENT DISTRICTS IN SAN DIEGO FROM JUNE 18-19, 2001, AT A COST NOT TO EXCEED \$2,095, BE ADOPTED.

REGULAR AGENDA

- 4 (c)** Resolution No. 66-2001, Considering the request of the San Francisco Juneteenth Festival Committee ("Committee") for a Grant in an amount not to exceed \$75,000 to produce and manage the San Francisco 2001 Juneteenth Festival and Authorizing the Executive Director to enter into a Fiscal Agent Contract with Agape, Inc., a non-profit public benefit corporation, to serve as fiscal agent to the Committee; Western Addition A-2 Redevelopment Project Area

Presenters: Randi Smith (Agency staff), Ron Vinson (MOED), Mary Rogers, Carmen Johnson (Agape), Ivory Morton (Bayview Opera House)

Speakers: Essie Collins, Genevieve Bayan, Bobby Webb, Eugene White

Commissioner Foriest Settles welcomed back Mary Rogers and shared her excitement and delight about the Juneteenth Festival. Ms. Foriest Settles commended the committee and stated her strong support for the festival. Ms. Foriest Settles asked about the publicity for the event and if other funds have been secured.

Commissioner Singh stated that he was glad to see Mary Rogers in attendance at the meeting.

Commissioner Dunlop commended the collaborative effort and thanked Ron Vinson for his good work.

Commissioner King thanked the Mayor's Office for its leadership and remarked that the Juneteenth Festival is a great way of uniting the black community in San Francisco.

ADOPTION: IT WAS MOVED BY MS. FORIEST SETTLES, SECONDED BY MR. SINGH, AND UNANIMOUSLY CARRIED (MR. YEE ABSENT) THAT ITEM 4(c) RESOLUTION NO. 66-2001, CONSIDERING THE REQUEST OF THE SAN FRANCISCO JUNETEENTH FESTIVAL COMMITTEE ("COMMITTEE") FOR A GRANT IN AN AMOUNT NOT TO EXCEED \$75,000 TO PRODUCE AND MANAGE THE SAN FRANCISCO 2001 JUNETEENTH FESTIVAL AND AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A FISCAL AGENT CONTRACT WITH AGAPE, INC., A NON-PROFIT PUBLIC BENEFIT CORPORATION, TO SERVE AS FISCAL AGENT TO THE COMMITTEE; WESTERN ADDITION A-2 REDEVELOPMENT PROJECT AREA, BE ADOPTED.

- 4 (d) Resolution No. 67-2001, Conditionally Approving the Schematic Design for the proposed development located at 1009 Mission Street; South Of Market Earthquake Recovery Redevelopment Project Area

Presenters: Olson Lee, Elena Branick (Agency staff), Kent Royle (Architect)

Commissioner Romero asked about the square footage of the units, specifically why the second floor units are smaller and how many total units are in the development.

Commissioner Dunlop stated his support for the proposed development.

Commissioner Foriest Settles was pleased to see that open space was being provided and commented that the development is visually pleasing. Ms. Foriest Settles asked if staff was confident that design conditions will be met and what the time line was for meeting the conditions.

Commissioner Palamountain congratulated Habitat for Humanity and staff for the creative development solution on a small, narrow lot. Ms. Palamountain asked if multi-family units are a first for Habitat for Humanity.

Commissioner King commended and congratulated staff for its hard work.

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNLOP, AND UNANIMOUSLY CARRIED (MR. YEE ABSENT) THAT ITEM 4(d) RESOLUTION NO. 67-2001, CONDITIONALLY APPROVING THE SCHEMATIC DESIGN FOR THE PROPOSED DEVELOPMENT LOCATED AT 1009 MISSION STREET; SOUTH OF MARKET EARTHQUAKE RECOVERY REDEVELOPMENT PROJECT AREA, BE ADOPTED.

- 4 (e) Resolution No. 68-2001, Authorizing the Execution of Loan Agreements in an aggregate principal amount not to exceed \$45,000,000 relating to the Issuance of Tax allocation Revenue Bonds by the City and County of San Francisco Redevelopment Financing Authority, Approving the Official Statement relating to the Bonds, and Authorizing and Approving other matters properly relating thereto

Presenters: Mario Menchini

Commissioner Palamountain asked if selling bonds on the Internet is easier and asked for an explanation of such a process.

Commissioner Foriest Settles asked whom the Director and Treasurer of the Financing Authority was.

Commissioner Dunlop asked about the state of the bond market and if the Agency had the ability to reject or accept bids.

Commissioner Singh asked what the total amount of tax allocation bonds was outstanding and the interest rate now compared to last year. Mr. Singh asked how much interest is paid annually and asked what if any, the financial consequences of annual bond issuance. Mr. Singh asked what the Agency's bond rating is at Moody, Standard and Poor and Municipal Bond market. Mr. Singh requested a list of major expenditures using bond proceeds and asked if administrative staff cost was utilizing bond proceeds. Mr. Singh specifically asked how many funds are being allocated to the Mexican Museum.

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MS. FORIEST SETTLES, AND UNANIMOUSLY CARRIED (MR. YEE ABSENT) THAT ITEM 4(e) RESOLUTION NO. 68-2001 AUTHORIZING THE EXECUTION OF LOAN AGREEMENTS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$45,000,000 RELATING TO THE ISSUANCE OF TAX ALLOCATION REVENUE BONDS BY THE CITY AND COUNTY OF SAN FRANCISCO REDEVELOPMENT FINANCING AUTHORITY, APPROVING THE OFFICIAL STATEMENT RELATING TO THE BONDS, AND AUTHORIZING AND APPROVING OTHER MATTERS PROPERLY RELATING THERETO, BE ADOPTED.

AT THIS TIME, THE AGENCY COMMISSION RECESSED THE AGENCY COMMISSION MEETING AND CONVENED AS THE REDEVELOPMENT FINANCING AUTHORITY.

FINANCING AUTHORITY AGENDA:

1. Election of Officers:

MOTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MR. SINGH, AND UNANIMOUSLY CARRIED (MR. YEE ABSENT) THAT BENNY Y. YEE BE ELECTED CHAIRMAN OF THE FINANCING AUTHORITY FOR THE YEAR 2001.

MOTION: IT WAS MOVED BY MR. SINGH, SECONDED BY MR. DUNLOP, AND UNANIMOUSLY CARRIED (MR. YEE ABSENT) THAT LEROY KING BE ELECTED AS VICE-CHAIRMAN OF THE FINANCING AUTHORITY FOR THE YEAR 2001.

MOTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MR. SINGH, AND UNANIMOUSLY CARRIED (MR. YEE ABSENT) THAT ERWIN R. TANJUQUIO BE ELECTED AS SECRETARY FOR THE FINANCING AUTHORITY FOR THE YEAR 2001.

- 2. Resolution No. 1-2001, Authorizing the Issuance of a series of Tax Allocation Revenue bonds, in an initial aggregate principal amount not to exceed \$45,000,000, Approving forms of an Indenture of Trust, Loan Agreements and an Official Statement, Authorizing the competitive sale of the Bonds, and Authorizing and Approving other matters properly relating thereto**

Presenters: Mario Menchini

ADOPTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MS. PALAMOUNTAIN, AND UNANIMOUSLY CARRIED (MR. YEE ABSENT) THAT ITEM 2 RESOLUTION NO. 1-2001, AUTHORIZING THE ISSUANCE OF A SERIES OF TAX ALLOCATION REVENUE BONDS, IN AN INITIAL AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$45,000,000, APPROVING FORMS OF AN INDENTURE OF TRUST, LOAN AGREEMENTS AND AN OFFICIAL STATEMENT, AUTHORIZING THE COMPETITIVE SALE OF THE BONDS, AND AUTHORIZING AND APPROVING OTHER MATTERS PROPERLY RELATING THERETO, BE ADOPTED.

3. Adjournment: It was moved by Mr. Dunlop, Seconded by Ms. Foriest Settles, and unanimously carried (Mr. Yee absent) that the meeting of the Redevelopment Financing Authority be adjourned. The meeting adjourned at 5:19 p.m.

**AT THIS TIME, THE MEETING OF THE AGENCY COMMISSION
WAS RECONVENED (5:30 p.m.)**

PERSONS WISHING TO ADDRESS THE MEMBERS ON NON-AGENDA, BUT
AGENCY-RELATED MATTERS:

Mary Helen Rogers, Rick Mariano

REPORT OF THE PRESIDENT

- Notre Dame sale celebration. Mr. Yee commented that projects like this create a very good feeling for the City.

REPORT OF THE EXECUTIVE DIRECTOR

- Thanked President King for kind comments to staff
- 732-A Report: Working with developer (which includes Ultra-Star) to come up with new partnership agreement. Awaiting a schedule of performance which staff will review and report back to the Commission with a proposed new amendment to the DDA. Staff has not yet received submissions from the developer and a closed session item is scheduled for May 1st.
- Reports from the Navy regarding release of contaminants in the shipyard, specifically potassium permanganate released in the bay, approximately 5 to 15 pounds.
- Restoration Advisory Board to conduct a meeting on clean-up issues in the shipyard.
- RFP for the African-American Cultural Museum, seeking a consultant team to develop the concept for implementation. Recognized Claudia Polly for helping with preparation of the RFP.
- RFP deadline for the Plaza Hotel at 992 Howard near 6th Street is May 29th – only one developer applicant had picked-up RFQ packet.
- Hearing at the State Assembly committee regarding Transbay Terminal, specifically transfer or conveyance to the Agency.

COMMISSIONERS' QUESTIONS AND MATTERS

- Commissioner Singh verified that TODCO was the only developer to pick-up a RFP for the Plaza Hotel. Mr. Singh asked where staff advertised the RFP and specifically asked if it was possible to advertise in the daily newspapers like the Chronicle or Examiner.
- Commissioner Foriest Settles shared her appreciation of Commissioner Singh's questions on the bond issuance. Ms. Foriest Settles asked about the Shipyard contamination and notification by the Emergency Response Team and if there was a difference from the community notification plan. Ms. Foriest Settles reported that she and three other Commissioners attended the BAYCAT meeting and remarked that it was good to hear from the developer, specifically their vision for the community. Ms. Foriest Settles thanked staff for their good work.
- Commissioner Dunlop asked if there were other contaminants being pumped into the bay in addition to the potassium permanganate.
- Commissioner Singh requested an update on the Rincon Center below-market rate tenants matter.

CLOSED SESSION

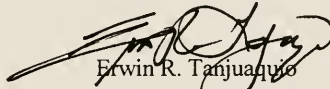
Closed Session items (a) and (b) continued to May 1st.

- (a) Pursuant to Government Code §54956.8 to instruct the Agency's real property negotiator with respect to terms of payment regarding land lease rental rates with Delancey Street Foundation, Site J, Assessor's Block 3790, Lot 1, Assessor's Block 3791, Lot 1 and a portion of Fremont Street, all bounded by The Embarcadero, Brannan and First Streets, Rincon Point – South Beach Redevelopment Project Area. Agency negotiators: Helen Sause, Amy Neches and Darby Kremers.
- (b) Pursuant to Government Code §54957.6 to instruct the Agency's designated representatives to negotiate with San Francisco Redevelopment Employees Association. Agency designated representatives: James B. Morales, Ora Williams and Chris Iglesias.
- (c) Pursuant to California Government Code §54956.9, Conference with Legal Counsel regarding existing litigation. One existing case:
 - (1) Morly, N., et al vs. BRE/Rincon, et al, San Francisco Superior Court – Case No. 319595 (Unlimited Jurisdiction)

ADJOURNMENT

It was moved by Ms. Foriest Settles, seconded by Mr. Romero, and unanimously carried that the meeting be adjourned. The meeting adjourned at 8:08 p.m.

Respectfully submitted,


Erwin R. Tanjuaquillo
Agency Secretary

APPROVED:

May 22, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
1ST DAY OF MAY 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 1st day of May, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Leroy King, Vice President
Mark Dunlop (arrives @ 4:28 p.m.)
Kathryn C. Palamountain
Ramon E. Romero
Darshan Singh

and the following was absent:

Benny Y. Yee, President
Michal Foriest Settles

DOCUMENTS DEPT.

The President declared that a quorum was present.

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James B. Morales, Executive Director, and staff members were also present.

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Leroy King, Vice President was Acting Chairperson in President Benny Y. Yee's absence.

MATTERS OF UNFINISHED BUSINESS:

- 3 (a) Resolution No. 63-2001, Authorizing a First Amendment to the Disposition and Development Agreement with Van Ness Care Center, Inc., a California corporation, for the Purchase and Development of Parcel 714-A(2), located at the northwest corner of Van Ness Avenue and Myrtle Street; Western Addition Redevelopment Project Area A-2

This unfinished business item was continued to May 22, 2001

MATTERS OF NEW BUSINESS – CONSENT AGENDA

- 4 (a) Approval of Minutes: Meetings of March 13 and 20, 2001
- 4 (b) Resolution No. 69-2001, Authorizing Commissioner Michal Foriest Settles to attend the California Redevelopment Association's Redevelopment Institute Seminar in Anaheim California, on May 14-16, 2001 at a cost not to exceed \$1,900.00

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MR. ROMERO, AND UNANIMOUSLY CARRIED (MR. YEE, MR. DUNLOP AND MS. FORIEST SETTLES ABSENT) THAT CONSENT AGENDA ITEMS 4(a) APPROVAL OF MINUTES: MEETINGS OF MARCH 13 AND 20, 2001 AND 4(b) RESOLUTION NO. 69-2001, AUTHORIZING COMMISSIONER MICHAL FORIEST SETTLES TO ATTEND THE CALIFORNIA REDEVELOPMENT ASSOCIATION'S REDEVELOPMENT INSTITUTE SEMINAR IN ANAHEIM CALIFORNIA, ON MAY 14-16, 2001 AT A COST NOT TO EXCEED \$1,900.00, BE ADOPTED.

REGULAR AGENDA

- 4 (c) Resolution No. 70-2001, Authorizing the Executive Director to enter into a Standby Repayment Agreement whereby the Agency conditionally guarantees to 4445-3rd Street Associates, a California Limited Partnership, a portion of the Section 8 Contract rents for 15 years in conjunction with the construction of 30 very low income rental units at 4445-3rd Street in an amount into to exceed \$1,125,000; Citywide Tax Increment Housing Program

Presenters: Pam Sims (Agency staff), Regina Davis (SFHDC)

Commissioner Palamountain asked if there was a citywide waiting list for the proposed housing units and will existing residents in the community have priority for the units

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MR.ROMERO, AND UNANIMOUSLY CARRIED (MR. YEE, MR. DUNLOP AND MS. FORIEST SETTLES ABSENT) THAT ITEM 4(c) RESOLUTION NO. 70-2001, AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A STANDBY REPAYMENT AGREEMENT WHEREBY THE AGENCY CONDITIONALLY GUARANTEES TO 4445-3RD STREET ASSOCIATES, A CALIFORNIA LIMITED PARTNERSHIP, A PORTION OF THE SECTION 8

CONTRACT RENTS FOR 15 YEARS IN CONJUNCTION WITH THE CONSTRUCTION OF 30 VERY LOW INCOME RENTAL UNITS AT 4445-3RD STREET IN AN AMOUNT INTO TO EXCEED \$1,125,000; CITYWIDE TAX INCREMENT HOUSING PROGRAM, BE ADOPTED.

- 4 (d) Resolution No. 71-2001, Adopting Environmental Findings pursuant to the California Environmental Quality Act and Approving a Memorandum of Understanding with the Municipal Transportation Agency and the Port of San Francisco for the Development of a Substation on Parcel P24 to serve the Third Street Light Rail Project; Mission Bay South Redevelopment Project Area

Presenters: Amy Neches (Agency staff)

Commissioner Romero asked what is the function of the substation.

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MS. PALAMOUNTAIN, AND UNANIMOUSLY CARRIED (MR. YEE, MR. DUNLOP AND MS. FORIEST SETTLES ABSENT) THAT ITEM 4(d) RESOLUTION NO. 71-2001, ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE MUNICIPAL TRANSPORTATION AGENCY AND THE PORT OF SAN FRANCISCO FOR THE DEVELOPMENT OF A SUBSTATION ON PARCEL P24 TO SERVE THE THIRD STREET LIGHT RAIL PROJECT; MISSION BAY SOUTH REDEVELOPMENT PROJECT AREA, BE ADOPTED.

REPORT OF THE EXECUTIVE DIRECTOR

- Arbitration hearing for the residual employees held today (May 1st) and expecting recommendation(s) soon
- ARC Ecology funding to monitor Shipyard clean-up by the Navy, paid for by the developer (BVHP Lennar) and will enter into a contract
- Discussion with Arts Commission regarding the MUNI substation at Turk and Fillmore Street exploring the possibility of the Agency acquiring the property for development of housing
- Update on Tutubi Park in South of Market – ribbon cutting ceremony on May 26th at 11:00 a.m.
- Analysis of bond proceeds expenditures previously requested by the Commission

At this time, 4:28 p.m.. Commissioner Mark Dunlop arrives.

COMMISSIONERS' QUESTIONS AND MATTERS

- Commissioner Romero pointed out that there appears to be only one item on the calendar for May 29th and requested that there be no Commission meeting on May 29th and move the one agenda item to the meeting of June 5th.

With the Commission's unanimous consent, it was decided to not have a Commission Meeting on Tuesday, May 29, 2001. The next regular meeting shall be on Tuesday, June 5, 2001.

- Commissioner Singh asked what the costs are for bond issuance and who is the underwriter.

CLOSED SESSION

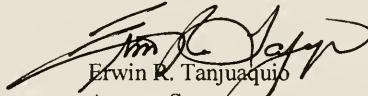
Closed Session item (a) and (c) continued to May 8th.

- (a) Pursuant to Government Code §54956.8 to instruct the Agency's real property negotiator with respect to terms of payment regarding ground lease with Fillmore Renaissance Associates LLP, Parcel 732-A; Western Addition A-2 Redevelopment Project Area. Agency negotiators: Shirley Wysinger, Darby Kremers and Ricky Tijani.
- (b) Pursuant to Government Code §54956.8 to instruct the Agency's real property negotiator with respect to terms of payment regarding land lease rental rates with Delancey Street Foundation, Site J, Assessor's Block 3790, Lot 1, Assessor's Block 3791, Lot 1 and a portion of Fremont Street, all bounded by The Embarcadero, Brannan and First Streets, Rincon Point – South Beach Redevelopment Project Area. Agency negotiators: Helen Sause, Amy Neches and Darby Kremers.
- (c) Pursuant to Government Code §54957.6 to instruct the Agency's designated representatives to negotiate with San Francisco Redevelopment Employees Association. Agency designated representatives: James B. Morales, Ora Williams and Chris Iglesias.

ADJOURNMENT

It was moved by Mr. Singh, seconded by Mr. Romero, and unanimously carried that the meeting be adjourned. The meeting adjourned at 5:02 p.m.

Respectfully submitted,



Erwin R. Tanjuaquio
Agency Secretary

APPROVED:

May 22, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
8TH DAY OF MAY 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 8th day of May, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Benny Y. Yee, President
Leroy King, Vice President
Mark Dunlop (departs @ 7:36 p.m.)
Kathryn C. Palamountain
Ramon E. Romero
Michal Foriest Settles
Darshan Singh (arrives @ 4:05 p.m.)

and the following was absent:

The President declared that a quorum was present.

James B. Morales, Executive Director, and staff members were also present. DOCUMENTS DEPT.

MATTERS OF NEW BUSINESS – CONSENT AGENDA

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4 (a) Approval of Minutes: Meetings of March 27 and April 3, 2001

4 (b) Resolution No. 72-2001, Authorizing Commissioner Mark Dunlop to attend the Fourth National HIV/AIDS Housing Conference in Denver Colorado, on June 14-17, 2001 at a cost not to exceed \$1,600.00

Commissioner Romero pointed out that the minutes of April 3rd, on the bottom of page 5 (item 4(g) re: 474 Natoma), President Yee's aye vote is missing.

Commissioner Foriest Settles pointed out that the minutes of March 27th, page 6 (item 9), Mary Rogers' name is misspelled.

Commissioner Foriest Settles suggested an amendment to Item 4(b), to include in the resolution (for this and future travel authorizations) a provision for reporting back to the Commission on the training and/or session attended within a period of 30 days.

Executive Director Morales pointed out that the proper procedure would be to remove Item 4(b) from the Consent Agenda and discuss it separately in order to amend it.

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MS. FORIEST SETTLES, AND UNANIMOUSLY CARRIED THAT CONSENT AGENDA ITEM 4 (a) APPROVAL OF MINUTES: MEETINGS OF MARCH 27 AND APRIL 3, 2001 AS AMENDED, BE ADOPTED.

At this time, a separate discussion on Item 4 (b) Resolution No. 72-2001, Authorizing Commissioner Mark Dunlop to attend the Fourth National HIV/AIDS Housing Conference in Denver Colorado, on June 14-17, 2001 at a cost not to exceed \$1,600.00, ensued.

Commissioner Foriest Settles put forth a motion to amend the travel authorization resolution to include a 30-day time frame for reporting back to the Commission on the training and/or session attended.

Commissioner Romero asked if the report is an oral or written report. Mr. Romero commented that Commissioners do not have clerical staff to help prepare such reports and stated that this could be time-consuming.

Commissioner King agreed with Commissioner Foriest Settles' suggestion that a report should be prepared by not only staff but also Commissioners who attend conferences, seminars, etc.

President Yee pointed out that the report should be a brief report outlining what topics were discussed and learned at the conference.

MOTION: IT WAS MOVED BY MS. FORIEST SETTLES, SECONDED BY MR. KING, AND UNANIMOUSLY CARRIED THAT ITEM 4 (b) RESOLUTION NO. 72-2001, AUTHORIZING COMMISSIONER MARK DUNLOP TO ATTEND THE FOURTH NATIONAL HIV/AIDS HOUSING CONFERENCE IN DENVER COLORADO, ON JUNE 14-17, 2001 AT A COST NOT TO EXCEED \$1,600.00 AS AMENDED, BE ADOPTED.

REGULAR AGENDA

- 4 (c) Resolution No. 73-2001, Amending Authorization of Redevelopment Plan Adoption Services Panel to (1) Revise Scope to include Preparation of Documents related to Adoption of the Transbay Redevelopment Plan and Amendment of the Western Addition A-2 Redevelopment Plan; (2) Extend the Term of the Panel to December, 2002; and (3) Increase the total amount of funds authorized for Consultant Services by \$500,000 for a total aggregate amount not to exceed \$1,350,000

Presenters: Jose Campos (Agency staff), Maria Ayerdi (Mayor's Office), Liz Whitted-Dawson (Consultant)

Commissioner King stated that he did not like the process where there is no input from the Commission regarding the consultant contracts. Mr. King stated that the authority to approve these contracts should not be at staff level, but should require Commission approval.

President Yee agreed with Commissioner King's comments.

Commissioner Foriest Settles asked if the intention was to award the current consultant panel with \$500,000. Ms. Foriest Settles asked about the contract compliance statistics, the work force breakdown for the panel and agreed with Commissioner King's concerns, specifically on how the panel would work where it would seem that no other firms could bid on projects or contracts. Ms. Foriest Settles asked if there was a time frame for the panel and stated that she supports the process and does not want to delay the completion of the Agency's projects. She asked if staff was planning to hire the economic advisors and if there was going to be a balance of work and funding distributed among the consultants. Ms. Foriest Settles requested that quarterly progress reports, specifically contract compliance issues, be provided to the Commission.

Commissioner Singh asked how many economic consultants were in the panel and suggested that it would be a good idea for consultants to be present at Commission meetings. Mr. Singh asked if there would be any problem with delaying the matter for two weeks, because he had questions for the consultants.

Commissioner King stated his opposition to approving this item and commented that the same thing happened with the lawyers' panel and the Commission loses control of Agency contracts. Mr. King remarked that there is no input from the Commission on these consultant panels and that the

Commission has the right to review progress and expenditure on these contracts.

Commissioner Palamountain put forth a motion to add a fourth resolved clause in Resolution No. 73-2001 stating that staff shall provide a report within two months and thereafter quarterly.

Commissioner Dunlop stated his support for Commissioner Palamountain's motion to amend Resolution No. 73-2001.

Commissioner King reiterated his displeasure with the consultant panel process.

Commissioner Foriest Settles suggested a friendly amendment to the motion to include a specific report on contract compliance for the consultants in the panel. Ms. Foriest Settles also suggested informing the consultants when their contracts are before the Commission so that they could be in attendance.

Commissioner Palamountain accepted both amendments to her motion.

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MR.ROMERO, THAT ITEM 4(c) RESOLUTION NO. 73-2001, AMENDING AUTHORIZATION OF REDEVELOPMENT PLAN ADOPTION SERVICES PANEL TO (1) REVISE SCOPE TO INCLUDE PREPARATION OF DOCUMENTS RELATED TO ADOPTION OF THE TRANSBAY REDEVELOPMENT PLAN AND AMENDMENT OF THE WESTERN ADDITION A-2 REDEVELOPMENT PLAN; (2) EXTEND THE TERM OF THE PANEL TO DECEMBER, 2002; AND (3) INCREASE THE TOTAL AMOUNT OF FUNDS AUTHORIZED FOR CONSULTANT SERVICES BY \$500,000 FOR A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$1,350,000 BE ADOPTED AS AMENDED, TO INCLUDE A FOURTH CLAUSE STATING THAT STAFF SHALL PROVIDE A REPORT WITHIN TWO MONTHS AND THEREAFTER QUARTERLY ON THE WORK PROGRESS OF THE CONSULTANT PANEL; STAFF SHALL INFORM CONSULTANTS WHEN CONTRACTS ARE BEFORE THE COMMISSION SO THEY COULD BE IN ATTENDANCE, AND THE REPORT TO THE COMMISSION SHALL INCLUDE A SPECIFIC REPORT ON CONTRACT COMPLIANCE FOR THE CONSULTANTS, AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

AND THE FOLLOWING WERE ABSENT.

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SEVEN (7) AYES.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 73-2001 AS AMENDED, IS ADOPTED.

- 4 (d) Resolution No. 74-2001, Authorizing a Second Amendment to a Personal Services Contract with Environmental Science Associates, a California corporation, for Environmental Review Services, to Revise the Scope of Services regarding the Rezoning of a portion of the Transbay Redevelopment Survey Area, Extending the Time of Performance and Delegating Supervision of Consultant to the Planning Department of the City and County of San Francisco; Transbay Redevelopment Survey Area

Presenters: Jose Campos (Agency staff), Diane Wong (ESA)

Commissioner Singh asked if Environmental Science Associates has other contracts with the City and how much. Mr. Singh asked what consulting services are being provided for the Airport.

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MS. FORIEST SETTLES, THAT ITEM 4(d) RESOLUTION NO. 74-2001, AUTHORIZING A SECOND AMENDMENT TO A PERSONAL SERVICES CONTRACT WITH ENVIRONMENTAL SCIENCE ASSOCIATES, A CALIFORNIA CORPORATION, FOR ENVIRONMENTAL REVIEW SERVICES, TO REVISE THE SCOPE OF SERVICES REGARDING THE REZONING OF A PORTION OF THE TRANSBAY REDEVELOPMENT SURVEY AREA, EXTENDING THE TIME OF PERFORMANCE AND DELEGATING SUPERVISION OF CONSULTANT TO THE PLANNING DEPARTMENT OF THE CITY AND COUNTY OF SAN FRANCISCO;

TRANSBAY REDEVELOPMENT SURVEY AREA, BE ADOPTED AND ON ROLL CALL THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

Mr. Singh

AND THE FOLLOWING WERE ABSENT.

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) NO.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 74-2001 IS ADOPTED.

- 4 (e) Resolution No. 75-2001, Authorizing Fourth Amendment to Letter Agreement with the Department of Public Works of the City and County of San Francisco in an amount not to exceed \$549,068 for a total amount of \$874,178 to provide Final Design Plans, Specifications, Cost Estimates, Engineering Support, and Construction Management Services for the 6th Street Corridor Improvement Project and to extend the Time of Completion to December 31, 2002; South Of Market Earthquake Recovery Redevelopment Project Area

Presenters: Bill Carney, Kevin Masuda (Agency staff)

Commissioner Singh asked if the Agency was paying for the major portion of the project.

Commissioner Foriest Settles asked who has maintenance responsibility, including the tree planting. Ms. Foriest Settles asked why certain property owners were abandoning the basements and asked if there were any financial compensation for the 30% of property owners who abandoned the sub-basements.

Commissioner King moved the item and commended Bill Carney for a good job and stated that he was pleased to see the Agency working with other City departments.

Commissioner Singh asked what the SOMA Foundation was, its budget, how the foundation is funded, and how the money is spent.

President Yee asked who selects what trees are planted and shared his concern with tree roots uprooting and damaging the sidewalks (cited example on Lombard Street). Mr. Yee asked if damage occurs, is the liability with Public Works or the property owners and asked if the property owners agreed with the tree planting.

ADOPTION: IT WAS MOVED BY MR. KING, SECONDED BY MR. SINGH, AND UNANIMOUSLY CARRIED THAT ITEM 4 (e) RESOLUTION NO. 75-2001, AUTHORIZING FOURTH AMENDMENT TO LETTER AGREEMENT WITH THE DEPARTMENT OF PUBLIC WORKS OF THE CITY AND COUNTY OF SAN FRANCISCO IN AN AMOUNT NOT TO EXCEED \$549,068 FOR A TOTAL AMOUNT OF \$874,178 TO PROVIDE FINAL DESIGN PLANS, SPECIFICATIONS, COST ESTIMATES, ENGINEERING SUPPORT, AND CONSTRUCTION MANAGEMENT SERVICES FOR THE 6TH STREET CORRIDOR IMPROVEMENT PROJECT AND TO EXTEND THE TIME OF COMPLETION TO DECEMBER 31, 2002; SOUTH OF MARKET EARTHQUAKE RECOVERY REDEVELOPMENT PROJECT AREA, BE ADOPTED.

PERSONS WISHING TO ADDRESS THE MEMBERS ON NON-AGENDA, BUT AGENCY RELATED MATTERS:

- Amy Neches, Andrea Dillon

REPORT OF THE EXECUTIVE DIRECTOR

- Shipyard CAC meeting on May 14th at 6:00 p.m.
- Informational Memorandum regarding Shipyard Emergency Response Plan
- Arbitration for non-managerial/non-supervisory classifications, expecting final decision soon
- Agency bond auction held today (May 8th) on the Internet and there was a successful bidder
- Board of Supervisors Public Health Committee hearing regarding the Esprit Park near Mission Bay – the Committee recommended approval by the

full Board of Supervisors but stated that waiver of housing exaction/fees is not City policy.

COMMISSIONERS' QUESTIONS AND MATTERS

- Commissioner Foriest Settles inquired about the recruitment efforts for the Deputy Executive Director for Finance. Ms. Foriest Settles suggested future discussion (among the Commissioners) on how the meeting minutes are prepared, pointing out that the minutes only record questions asked by Commissioners, but not answers to questions; and a discussion on how the Commission should proceed with the Executive Director's performance evaluation.
- Commissioner King agreed with Commissioner Foriest Settles' suggestion about the Executive Director's performance evaluation but preferred to wait until all of the labor negotiations are concluded.
- Commissioner Singh informed the Agency Secretary that he was contacted by Chuck Collins. President Yee reported the same contact.

CLOSED SESSION

- (a) Pursuant to Government Code §54957.6 to instruct the Agency's designated representatives to negotiate with San Francisco Redevelopment Employees Association. Agency designated representatives: James B. Morales, Ora Williams and Chris Iglesias.
- (b) Pursuant to Government Code §54956.8 to instruct the Agency's real property negotiator with respect to terms of payment regarding ground lease with Fillmore Renaissance Associates LLP, Parcel 732-A; Western Addition A-2 Redevelopment Project Area. Agency negotiators: Shirley Wysinger, Darby Kremers and Ricky Tijani.
- (c) Pursuant to Government Code § 54956.8 to instruct the Agency's real property negotiator with respect to terms of payment for the California College of Podiatric Medicine located at 1770 Eddy Street, Parcels 729-A, 729-A(1) and 729-B, Western Addition Redevelopment Project Area A-2. Agency negotiators: Isabella Wong, Darby Kremers and Shirley Wysinger.
- (d) Pursuant to Government Code Section 54956.9(a): Conference with Legal Counsel regarding litigation: Emeric-Goodman Associates v. Redevelopment Agency of the City and County of San Francisco.

At this time (7:36 p.m.), Commissioner Dunlop departs.

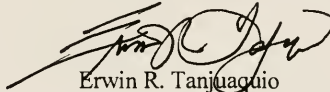
Minutes of a Regular Meeting May 8, 2001

- (e) Pursuant to Government Code Section 54956.9(a): Conference with Legal Counsel regarding litigation: Redevelopment Agency of the City and County of San Francisco v. San Francisco Unified School District, et al..
- (f) Pursuant to Government Code §54956.9(c), Conference with Legal Counsel regarding initiation of litigation: two potential cases.

ADJOURNMENT

It was moved by Mr. King, seconded by Mr. Romero, and unanimously carried that the meeting be adjourned. The meeting adjourned at 8:05 p.m.

Respectfully submitted,



Erwin R. Tanjuacuo
Agency Secretary

APPROVED:

June 5, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
15TH DAY OF MAY 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 15th day of May, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Benny Y. Yee, President
Leroy King, Vice President
Mark Dunlop
Kathryn C. Palamountain
Ramon E. Romero
Darshan Singh

and the following was absent:

Michal Foriest Settles

The President declared that a quorum was present.

James B. Morales, Executive Director, and staff members were also present.

John L. Taylor, Parliamentarian was also in attendance.

DOCUMENTS DEPT.

MATTERS OF NEW BUSINESS – CONSENT AGENDA

SEP 13 2007

4 (a) Approval of Minutes: Meetings of April 10 and 17, 2001

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4 (b) Resolution No. 76-2001, Authorizing a First Amendment to the Office Lease with Mercy Charities Housing California, a California non-profit corporation, dated August 10, 1998, to modify the Renewal Option Provisions and Initial Term Expiration date of the Lease for the Project Area Committee office space located at 1035 Folsom Street; South of Market Earthquake Recovery Redevelopment Project Area

Commissioner Singh asked that the minutes of April 17th be corrected to indicate that he arrived at 4:05 p.m., not 4:55 p.m.

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. SINGH, AND UNANIMOUSLY CARRIED (MS. FORIEST SETTLES

ABSENT) THAT CONSENT AGENDA ITEMS 4 (a) APPROVAL OF MINUTES: MEETINGS OF APRIL 10 AND 17, 2001 AS AMENDED, AND ITEM 4(b) RESOLUTION NO. 76-2001, AUTHORIZING A FIRST AMENDMENT TO THE OFFICE LEASE WITH MERCY CHARITIES HOUSING CALIFORNIA, A CALIFORNIA NON-PROFIT CORPORATION, DATED AUGUST 10, 1998, TO MODIFY THE RENEWAL OPTION PROVISIONS AND INITIAL TERM EXPIRATION DATE OF THE LEASE FOR THE PROJECT AREA COMMITTEE OFFICE SPACE LOCATED AT 1035 FOLSOM STREET; SOUTH OF MARKET EARTHQUAKE RECOVERY REDEVELOPMENT PROJECT AREA, BE ADOPTED.

At this time, Agency Secretary Erwin R. Tanjuaquio announced that the regularly scheduled meeting of the Housing Committee for May 15th is cancelled.

REGULAR AGENDA

- 4 (c) Resolution No. 77-2001, Authorizing a Tax Increment Regulatory and Grant Agreement in an amount not to exceed \$2,579,148 to Providence Foundation of San Francisco, a California non-profit public benefit corporation, for the Development of 58 units of affordable senior rental housing; Citywide Tax Increment Program

Presenters: Mathew Schwartz (Agency staff)

Speakers: Dorris M. Vincent, Charane Sandage, James Blandine

Commissioner King moved the item and commended Providence Foundation for a great job and remarked that Providence Church has been a pillar of the Bayview community.

Commissioner Dunlop stated that the project has great affordability levels at 60% of the area median income and asked if there was a fallback if HUD does not come through with the funding.

President Yee asked when the Section 202 funding will become available and if the approval by HUD is likely.

Commissioner Singh asked if the seniors in attendance are going to get the proposed units.

ADOPTION: IT WAS MOVED BY MR. KING, SECONDED BY MR. SINGH, THAT ITEM 4(c) RESOLUTION NO. 77-2001, AUTHORIZING A

TAX INCREMENT REGULATORY AND GRANT AGREEMENT IN AN AMOUNT NOT TO EXCEED \$2,579,148 TO PROVIDENCE FOUNDATION OF SAN FRANCISCO, A CALIFORNIA NON-PROFIT PUBLIC BENEFIT CORPORATION, FOR THE DEVELOPMENT OF 58 UNITS OF AFFORDABLE SENIOR RENTAL HOUSING; CITYWIDE TAX INCREMENT PROGRAM, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

AND THE FOLLOWING WERE ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 77-2001 IS ADOPTED.

Items 4 (d) and 4 (e) were presented together, and acted upon separately.

- 4 (d)** Resolution No. 78-2001, Expressing the Intent of the Redevelopment Agency of the City and County of San Francisco to Issue Multifamily Mortgage Revenue Bonds in one or more series in an amount not to exceed \$7,500,000 to Finance the Acquisition and Renovation of Residential Facilities at Namiki Apartments, 1776 Sutter Street, all as part of the Agency's Housing Preservation Program; Western Addition Redevelopment Project Area A-2
- 4 (e)** Resolution No. 79-2001, Authorizing the Executive Director to Enter into a Standby Payment Agreement with Chinatown Community Development Center to Guarantee the payment of certain Mortgage Revenue Bonds in an amount not to exceed \$3,100,000; and related documents to enable the Acquisition and Renovation of the Namiki Apartments at 1776 Sutter Street, all as part of the Agency's Housing Preservation Program, Western Addition Redevelopment Project Area A-2

Presenters: Elizabeth Colomello (Agency staff)

Speakers: Beatrice Richardson, Susie Wong, Monica Mejia

Commissioner Singh asked about the square footage of the units and how many one and two-bedroom units are proposed. Mr. Singh asked the amount of the appraisal.

Commissioner Palamountain congratulated staff and residents on a job well done. Ms. Palamountain stated that this is an excellent program because (1) it addresses the highest housing needs in the City in particular the elderly population, (2) it takes into account tenants' input and participation resulting in a very commendable project, and (3) this project leverages local funding sources to access Federal and State dollars to make the project whole which ensures that San Francisco's taxpayers are getting the best deal. Ms. Palamountain enthusiastically gave her support and thanks to staff and residents of Namiki Apartments.

Commissioner Dunlop thanked Ms. Colomello, Olson Lee and the residents and stated his support for the affordability level. Mr. Dunlop asked why the per unit subsidy cost seemed high.

President Yee agreed that it is a wonderful project and fully supports it however, he is opposed to the process whereby the tenants make the selection of the developer costing the Agency a lot of money. Mr. Yee cautioned staff that such a process is wrong and staff should not relinquish its responsibility and authority to select developer(s) and that this is the last project he would like to see undergo this process. Mr. Yee thanked staff and the residents for attending the Commission meeting.

ADOPTION: IT WAS MOVED BY MR. SINGH, SECONDED BY MR. KING, THAT ITEM 4(d) RESOLUTION NO. 78-2001, EXPRESSING THE INTENT OF THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO TO ISSUE MULTIFAMILY MORTGAGE REVENUE BONDS IN ONE OR MORE SERIES IN AN AMOUNT NOT TO EXCEED \$7,500,000 TO FINANCE THE ACQUISITION AND RENOVATION OF RESIDENTIAL FACILITIES AT NAMIKI APARTMENTS, 1776 SUTTER STREET, ALL AS PART OF THE AGENCY'S HOUSING PRESERVATION PROGRAM; WESTERN ADDITION REDEVELOPMENT PROJECT AREA A-2, BE ADOPTED AND ON ROLL CALL THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

AND THE FOLLOWING WERE ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 78-2001 IS ADOPTED.

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MS. PALAMOUNTAIN, THAT ITEM 4(e) RESOLUTION NO. 79-2001, AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A STANDBY PAYMENT AGREEMENT WITH CHINATOWN COMMUNITY DEVELOPMENT CENTER TO GUARANTEE THE PAYMENT OF CERTAIN MORTGAGE REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$3,100,000; AND RELATED DOCUMENTS TO ENABLE THE ACQUISITION AND RENOVATION OF THE NAMIKI APARTMENTS AT 1776 SUTTER STREET, ALL AS PART OF THE AGENCY'S HOUSING PRESERVATION PROGRAM, WESTERN ADDITION REDEVELOPMENT PROJECT AREA A-2, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED “AYE”:

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

AND THE FOLLOWING WERE ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 79-2001 IS ADOPTED.

REPORT OF THE EXECUTIVE DIRECTOR

- Issuance of Bid Package for the Yerba Buena Center for the Arts Theater Reader Board and Night Lighting Contract
- Tentative Schedule of May 30th for community review of Parcel 732-A, Fillmore Renaissance Project at West Bay Conference Center at 6:00 p.m.
- Board of Supervisors items: (1) Group I Project-India Basin Industrial Park Plan Amendment was continued to July – Supervisor Maxwell was not supportive but intends to work with the developer, and (2) approval of receipt of Esprit Park in dog patch (Mission Bay) where the Agency had recommended waiving the housing exaction fee to allow the development of the park – Board of Supervisors is not supportive of such a waiver of housing fees as a matter of City policy
- CDLAC approved bond financing for Ocean Beach Apartments.
- No Commission meeting on May 29th
- Ribbon-cutting ceremony for Tutubi Park on Saturday, May 26th at 11:00 a.m.

President Yee requested staff to provide the Commission with a flyer announcing the community meeting on Parcel 732-A and to re-distribute the earlier memorandum on the Tutubi Park ribbon-cutting ceremony.

CLOSED SESSION

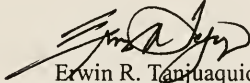
This closed session item (a) was continued to the meeting of May 22nd.

- (a) Pursuant to Government Code §54957.6 to instruct the Agency's designated representatives to negotiate with unrepresented employees: Deputy Executive Director, Program and Project Management; Deputy Executive Director, Finance and Administration; Agency General Counsel; and Human Resources Manager. Agency designated representative: James B. Morales

ADJOURNMENT

It was moved by Mr. Romero, seconded by Mr. Dunlop, and unanimously carried that the meeting be adjourned. The meeting adjourned at 5:20 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Erwin R. Tanjuaquio', is written over the printed name.

Erwin R. Tanjuaquio
Agency Secretary

APPROVED:

June 5, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
22ND DAY OF MAY 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 22nd day of May, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Benny Y. Yee, President
Leroy King, Vice President
Mark Dunlop
Kathryn C. Palamountain
Ramon E. Romero
Michal Foriest Settles (departs @ 5:00 p.m. and
returns @ 8:11 p.m.)
Darshan Singh (arrives @ 4:08 p.m.)

and the following was absent:

The President declared that a quorum was present.

James B. Morales, Executive Director, and staff members were also present.

John L. Taylor, Parliamentarian was also in attendance.

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MATTERS OF UNFINISHED BUSINESS

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- 3 (a)** Resolution No. 63-2001, Authorizing a First Amendment to the Disposition and Development Agreement with Van Ness Care Center, Inc., a California corporation, for the Purchase and Development of Parcel 714-A(2), located at the northwest corner of Van Ness Avenue and Myrtle Street; Western Addition Redevelopment Project Area A-2

Presenters: Ricky Tijani (Agency staff)

Commissioner Foriest Settles stated that the memorandum indicated that on the second floor there has been a reemphasis from the convalescent hospital to respite care and asked how many people originally, were to be accommodated in the convalescent hospital versus how many people in the respite care.

Commissioner Palamountain asked for clarification on the reduced number of units now proposed by the developer and acknowledged that this was a result of not obtaining the CDLAC financing, pointing out that the DDA required 30 units with CDLAC financing and without it, 20 units and that the new proposal by the developer is to provide 25 units. Ms. Palamountain asked for an explanation about the delay in obtaining the building permit and also, why the proposed project is not considered a good candidate for CDLAC financing.

Commissioner Dunlop referred to the original resolution, which stipulated that there would be no delays and asked for an explanation and upon clarification that the original resolution which contained the “no-delay” clause, was for the exclusive negotiation rights with the developer (where all milestones were met), Mr. Dunlop acknowledged that the delay seems reasonable given the complexity of the project and that the process is going well and asked if the Agency has assurance from the developer to do its due diligence.

ADOPTION: IT WAS MOVED BY MR. KING, SECONDED BY MR. SINGH, THAT ITEM 3(a) RESOLUTION NO. 63-2001, AUTHORIZING A FIRST AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT WITH VAN NESS CARE CENTER, INC., A CALIFORNIA CORPORATION, FOR THE PURCHASE AND DEVELOPMENT OF PARCEL 714-A(2), LOCATED AT THE NORTHWEST CORNER OF VAN NESS AVENUE AND MYRTLE STREET; WESTERN ADDITION REDEVELOPMENT PROJECT AREA A-2, BE ADOPTED AND ON ROLL CALL THE FOLLOWING VOTED “AYE”:

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

AND THE FOLLOWING WERE ABSENT.

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SEVEN (7) AYES.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 63-2001 IS ADOPTED.

MATTERS OF NEW BUSINESS – CONSENT AGENDA

4 (a) Approval of Minutes: Meetings of April 24 and May 1, 2001

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNLOP, AND UNANIMOUSLY CARRIED THAT CONSENT AGENDA ITEM 4(a) APPROVAL OF MINUTES FOR THE MEETINGS OF APRIL 24 AND MAY 1, 2001, BE ADOPTED.

REGULAR AGENDA

Items 4 (b) and 4 (c) were presented together and acted upon separately.

4 (b) Resolution No. 80-2001, Approving Memorandum of Agreement with the San Francisco Redevelopment Employee Association regarding Conditions of Employment for Managerial/Supervisory Bargaining Unit

4 (c) Resolution No. 81-2001, Amending Salary Resolution No. 139-2000 to Revise the Compensation for certain represented Managerial/Supervisory Classifications retroactive to July 1, 2000

Presenters: Ora Williams (Agency staff)

Speakers: Shirley Wysinger

Commissioner Singh asked what the difference was between items (b) and (c) and the closed session item.

Commissioner Palamountain stated her support for the items, recognizing and thanking Ms. Williams for all her hard work.

Commissioner Romero remarked that this is a good example of labor negotiations with the employees and look forward to working with all concerned.

Commissioner King commented that this is a good contract.

Commissioner Dunlop echoed his fellow Commissioners comments and thanked staff for its hard work.

President Yee asked how can the Commission approve the Salary Resolution when there is an issue about the Agency Secretary's job classification, specifically the Arbitrator's decision to award the Executive Assistant positions (Gina Solis and Erwin Tanjuaquio) to Local 790.

Commissioner Singh remarked that this is not such a big deal and why not adjust the Executive Assistants' salaries.

Commissioner Foriest Settles stated her support for the MOA with SFREA.

Commissioner Romero advised the Commission to focus on the big picture and pointed out that the Executive Assistants matter is not part of the MOA with SFREA and that the Commission will deal with the matter in closed session.

Commissioner King stated his support for items (b) and (c) but indicated his opposition to the closed session item regarding labor negotiations with executive staff (in closed session). Mr. King stated that he disagrees with the Arbitrator's ruling.

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MR. DUNLOP, THAT ITEM 4(b) RESOLUTION NO. 80-2001, APPROVING MEMORANDUM OF AGREEMENT WITH THE SAN FRANCISCO REDEVELOPMENT EMPLOYEE ASSOCIATION REGARDING CONDITIONS OF EMPLOYMENT FOR MANAGERIAL/SUPERVISORY BARGAINING UNIT, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles

AND THE FOLLOWING VOTED "NAY":

AND THE FOLLOWING ABSTAINED:

Mr. Singh
Mr. Yee

AND THE FOLLOWING WERE ABSENT.

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FIVE (5) AYES AND TWO (2) ABSTENTIONS.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 80-2001 IS ADOPTED.

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MR. ROMERO, THAT ITEM 4(c) RESOLUTION NO. 81-2001, AMENDING SALARY RESOLUTION NO. 139-2000 TO REVISE THE COMPENSATION FOR CERTAIN REPRESENTED MANAGERIAL/SUPERVISORY CLASSIFICATIONS RETROACTIVE TO JULY 1, 2000, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles

AND THE FOLLOWING VOTED "NAY":

AND THE FOLLOWING ABSTAINED:

Mr. Singh
Mr. Yee

AND THE FOLLOWING WERE ABSENT.

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FIVE (5) AYES AND TWO (2) ABSTENTIONS.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 81-2001 IS ADOPTED.

Items 4 (d) (e) (f) (g) (h) (i) (j) and (k) were presented together, and acted upon separately.

- 4 (d) Resolution No. 82-2001, Adopting a Policy on Transfer of Development Rights and Application of City Planning Code Section 128 to redevelopment project areas that contain property with an underlying C-3 District designation; Rincon Point-South Beach Redevelopment Project Area and Yerba Buena Center Redevelopment Project Area
- 4 (e) Resolution No. 83-2001, Expressing the Redevelopment Agency's Support of a Proposed Amendment to City Planning Code Section 128 and to a Related General Plan provision to enable the use of Transferable Development Rights originating from a Transfer Lot in the Yerba Buena Center Redevelopment Project Area located in a C-3-R or C-3-O (SD) District for use on a Development Lot in a C-3-O District; Yerba Buena Center Redevelopment Project Area
- 4 (f) Resolution No. 84-2001, Authorizing a Second Amendment to the Amended Owner Participation Agreement with the Roman Catholic Archbishop of San Francisco, a California corporation sole, concerning the St. Patrick's Church, located on lots 14 and 68 of Assessor's Block 3706, on the north side of Mission Street between Third and Fourth Streets, and Authorizing the Transfer of Transferable Development Rights from Lot 68; Yerba Buena Center Redevelopment Project Area
- 4 (g) Resolution No. 85-2001, Authorizing a Second Amendment to the Agreement for Disposition of Land and Improvements for private rehabilitation with the Ronald H. and Barbara Kaufman Revocable Trust concerning the Certification of Transferable Development Rights from the property known as the Planter's Hotel, lot 8 of Assessor's Block 3735 (Parcel 3735-C), located on the northwest corner of Folsom and Second Streets, for donation to the Jewish Museum San Francisco, a California non-profit public benefit corporation; Yerba Buena Center Redevelopment Project Area

At this time (5:00 p.m.), Commissioner Foriest Settles departs.

- 4 (h) Resolution No. 86-2001, Authorizing a Third Amendment to the Disposition and Development Agreement with CB-1 Entertainment Partners, L.P., a California limited partnership, to revise the development schedule and development program for the Jessie Square Parcel, the Jessie Square Garage, the Jewish Museum Parcel, the Mexican Museum Parcel CB-1, the Argent Hotel Parcel owned by L-O SOMA Holdings, Inc., and the St. Patrick's Church Parcel, all located on Central Block One, bounded by Market, Mission, Third and Fourth Streets; Yerba Buena Center Redevelopment Project Area

- 4 (i) Resolution No. 87-2001, Authorizing the Sixth Amendment to the Agreement for Disposition of Land for Private Development with The Mexican Museum, a California Non-Profit Public Benefit Corporation, that Revises the Development Requirements and Schedule for Construction of a Museum Building on Parcel CB-1-MM, Located on the North Side of Mission Street Between Third and Fourth Streets, to be Leased to The Mexican Museum; Yerba Buena Center Redevelopment Project Area
- 4 (j) Resolution No. 88-2001, Authorizing a Fifth Amendment to the Disposition and Development Agreement with The Jewish Museum San Francisco, a California Non-Profit Public Benefit Corporation, Regarding the Purchase and Development of the Jessie Street Substation Parcel CB-1-JSS, Located on Central Block One, Bounded By Market, Mission, Third and Fourth Streets, to Revise the Performance Schedule, the Development Program and Other Terms and Conditions of the Agreement; Yerba Buena Center Redevelopment Project Area
- 4 (k) Resolution No. 89-2001, Authorizing the Third Amendment to the Agreement for Disposition of Land for Private Development with L-O Soma Holding, Inc., a Delaware Corporation, DBA The Argent Hotel, Pertaining to Additional Development of The Argent Hotel's Facilities on Parcels 3706-H, 3706-H(1), 3706-H(2A) and 3706-H(2B), Located at the Southwest Corner of Third and Stevenson Streets and Providing for the Grant of Easements Necessary for Construction and Operation of an Underground Parking Garage Beneath Jessie Square; Yerba Buena Center Redevelopment Project Area

Presenters: William Carney (Agency staff), Phil Aarons (Millennium Partners)

Speakers: Lorraine Garcia-Nakata, Constance Wolf, Bland Platt, Don Marcos

President Yee asked how the value of the TDRs is determined and does the value fluctuate from time to time.

Commissioner Singh commended staff, specially Bill Carney and Chris Iglesias for their good work and also thanked Millennium, the Jewish Museum and the Mexican Museum.

Commissioner Palamountain asked about the scope of the proposed TDR policy, that the transfer of the development rights are only from the two project areas, Rincon Point – South Beach and Yerba Buena Center for properties within a C3-R zoning district. Ms. Palamountain asked if there were other properties within these project areas that are considered historical landmarks and also asked if the 60-day contingencies for Landmarks Board and Planning Commission approvals are adequate. Ms. Palamountain asked if there were any alternative scenarios should there be delays with the Jessie Square development. She stated her support and appreciation to Bill Carney and all the staff persons who worked on these very complicated projects.

Commissioner Dunlop added his kudos to all involved on these very complex, but brilliant projects and thanked Millennium Partners and staff, Lorraine Garcia-Nakata, and Connie Wolf. Mr. Dunlop asked if the Board of Supervisors banned the transfer of development rights from the Emporium building and requested an explanation of Mrs. Platt's comments that the Agency is not working with the Landmarks Board.

President Yee concurred with his fellow Commissioners comments and acknowledged that these are very complex projects and that the developer is doing an outstanding job in Yerba Buena Center. Mr. Yee reminded staff to provide the information requested by Mrs. Platt and make sure that the Landmarks Board is not overlooked.

ADOPTION: IT WAS MOVED BY MR. SINGH, SECONDED BY MR. DUNLOP, THAT ITEM 4(d) RESOLUTION NO. 82-2001, ADOPTING A POLICY ON TRANSFER OF DEVELOPMENT RIGHTS AND APPLICATION OF CITY PLANNING CODE SECTION 128 TO REDEVELOPMENT PROJECT AREAS THAT CONTAIN PROPERTY WITH AN UNDERLYING C-3 DISTRICT DESIGNATION; RINCON POINT-SOUTH BEACH REDEVELOPMENT PROJECT AREA AND YERBA BUENA CENTER REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

AND THE FOLLOWING WERE ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 82-2001 IS ADOPTED.

ADOPTION: IT WAS MOVED BY MR. SINGH, SECONDED BY MR. DUNLOP, THAT ITEM 4(e) RESOLUTION NO. 83-2001, EXPRESSING THE REDEVELOPMENT AGENCY'S SUPPORT OF A PROPOSED AMENDMENT TO CITY PLANNING CODE SECTION 128 AND TO A RELATED GENERAL PLAN PROVISION TO ENABLE THE USE OF TRANSFERABLE DEVELOPMENT RIGHTS ORIGINATING FROM A TRANSFER LOT IN THE YERBA BUENA CENTER REDEVELOPMENT PROJECT AREA LOCATED IN A C-3-R OR C-3-O (SD) DISTRICT FOR USE ON A DEVELOPMENT LOT IN A C-3-O DISTRICT; YERBA BUENA CENTER REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

AND THE FOLLOWING WERE ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 83-2001 IS ADOPTED.

ADOPTION: IT WAS MOVED BY MR.DUNLOP, SECONDED BY MR. SINGH, THAT ITEM 4(f) RESOLUTION NO. 84-2001, AUTHORIZING A SECOND AMENDMENT TO THE AMENDED OWNER PARTICIPATION AGREEMENT WITH THE ROMAN CATHOLIC ARCHBISHOP OF SAN FRANCISCO, A CALIFORNIA CORPORATION SOLE, CONCERNING THE ST. PATRICK'S CHURCH, LOCATED ON LOTS 14 AND 68 OF ASSESSOR'S BLOCK 3706, ON THE NORTH SIDE OF MISSION STREET BETWEEN THIRD AND FOURTH STREETS, AND AUTHORIZING THE TRANSFER OF TRANSFERABLE DEVELOPMENT RIGHTS FROM LOT 68; YERBA BUENA CENTER REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

AND THE FOLLOWING WERE ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 84-2001 IS ADOPTED.

ADOPTION: IT WAS MOVED BY MR.SINGH, SECONDED BY MR. KING, THAT ITEM 4(g) RESOLUTION NO. 85-2001, AUTHORIZING A SECOND AMENDMENT TO THE AGREEMENT FOR DISPOSITION OF LAND AND IMPROVEMENTS FOR PRIVATE REHABILITATION WITH THE RONALD H. AND BARBARA KAUFMAN REVOCABLE TRUST CONCERNING THE CERTIFICATION OF TRANSFERABLE DEVELOPMENT RIGHTS FROM THE PROPERTY KNOWN AS THE PLANTER'S HOTEL, LOT 8 OF ASSESSOR'S BLOCK 3735 (PARCEL 3735-C), LOCATED ON THE NORTHWEST CORNER OF FOLSOM AND SECOND STREETS, FOR DONATION TO THE JEWISH MUSEUM SAN FRANCISCO, A CALIFORNIA NON-PROFIT PUBLIC

BENEFIT CORPORATION; YERBA BUENA CENTER REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED “AYE”:

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

AND THE FOLLOWING WERE ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 85-2001 IS ADOPTED.

ADOPTION: IT WAS MOVED BY MR.DUNLOP, SECONDED BY MR. SINGH, THAT ITEM 4(h) RESOLUTION NO. 86-2001, AUTHORIZING A THIRD AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT WITH CB-1 ENTERTAINMENT PARTNERS, L.P., A CALIFORNIA LIMITED PARTNERSHIP, TO REVISE THE DEVELOPMENT SCHEDULE AND DEVELOPMENT PROGRAM FOR THE JESSIE SQUARE PARCEL, THE JESSIE SQUARE GARAGE, THE JEWISH MUSEUM PARCEL, THE MEXICAN MUSEUM PARCEL CB-1, THE ARGENT HOTEL PARCEL OWNED BY L-O SOMA HOLDINGS, INC., AND THE ST. PATRICK’S CHURCH PARCEL, ALL LOCATED ON CENTRAL BLOCK ONE, BOUNDED BY MARKET, MISSION, THIRD AND FOURTH STREETS; YERBA BUENA CENTER REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED “AYE”:

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

AND THE FOLLOWING WERE ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 86-2001 IS ADOPTED.

ADOPTION: IT WAS MOVED BY MR.SINGH, SECONDED BY MR. KING, THAT ITEM 4(i) RESOLUTION NO. 87-2001, AUTHORIZING THE SIXTH AMENDMENT TO THE AGREEMENT FOR DISPOSITION OF LAND FOR PRIVATE DEVELOPMENT WITH THE MEXICAN MUSEUM, A CALIFORNIA NON-PROFIT PUBLIC BENEFIT CORPORATION, THAT REVISES THE DEVELOPMENT REQUIREMENTS AND SCHEDULE FOR CONSTRUCTION OF A MUSEUM BUILDING ON PARCEL CB-1-MM, LOCATED ON THE NORTH SIDE OF MISSION STREET BETWEEN THIRD AND FOURTH STREETS, TO BE LEASED TO THE MEXICAN MUSEUM; YERBA BUENA CENTER REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED “AYE”:

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

AND THE FOLLOWING WERE ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 87-2001 IS ADOPTED.

ADOPTION: IT WAS MOVED BY MR.SINGH, SECONDED BY MR. DUNLOP, THAT ITEM 4(j) RESOLUTION NO. 88-2001, AUTHORIZING A FIFTH AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT WITH THE JEWISH MUSEUM SAN FRANCISCO, A CALIFORNIA NON-PROFIT PUBLIC BENEFIT CORPORATION, REGARDING THE PURCHASE AND DEVELOPMENT OF THE JESSIE STREET SUBSTATION PARCEL CB-1-JSS, LOCATED ON CENTRAL BLOCK ONE, BOUNDED BY MARKET, MISSION, THIRD AND FOURTH STREETS, TO REVISE THE PERFORMANCE SCHEDULE, THE DEVELOPMENT PROGRAM AND OTHER TERMS AND CONDITIONS OF THE AGREEMENT; YERBA BUENA CENTER REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

AND THE FOLLOWING WERE ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 88-2001 IS ADOPTED.

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MR. DUNLOP, THAT ITEM 4(k) RESOLUTION NO. 89-2001, AUTHORIZING THE THIRD AMENDMENT TO THE AGREEMENT FOR DISPOSITION OF LAND FOR PRIVATE DEVELOPMENT WITH L-O SOMA HOLDING, INC., A DELAWARE CORPORATION, DBA THE ARGENT HOTEL, PERTAINING TO ADDITIONAL DEVELOPMENT OF THE ARGENT HOTEL'S FACILITIES ON PARCELS 3706-H, 3706-H(1), 3706-H(2A) AND 3706-H(2B), LOCATED AT THE SOUTHWEST CORNER OF THIRD AND STEVENSON STREETS AND PROVIDING FOR THE GRANT OF EASEMENTS NECESSARY FOR CONSTRUCTION AND OPERATION OF AN UNDERGROUND PARKING GARAGE BENEATH JESSIE SQUARE; YERBA BUENA CENTER REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

AND THE FOLLOWING WERE ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 89-2001 IS ADOPTED.

- 4 (l) Resolution No. 90-2001, Authorizing a Predevelopment Grant Agreement with Martin Luther King - Marcus Garvey Square Cooperative Apartments, Incorporated, a California mutual benefit nonprofit corporation, in an amount not to exceed \$45,000 in conjunction with a Capital Needs Assessment of 211 units of low-income cooperative housing; 1680 Eddy Street; Western Addition Redevelopment Project Area A-2

Presenters: Michele Davis (Agency staff)

Speakers: Albert Nelson, Carmen Johnson, Mary Helen Rogers

Commissioner Singh asked if the \$45,000 grant will tell the Agency how much the development will cost and asked if staff had an idea of the development cost.

Commissioner Dunlop asked how much funding is needed for the project and if there was a condition to provide units to Section 8 tenants and contingencies, if any.

Commissioner Palamountain asked if there were tenants membership in the Advisory Board.

ADOPTION: IT WAS MOVED BY MR. SINGH, SECONDED BY MR. DUNLOP, THAT ITEM 4(I) RESOLUTION NO. 90-2001, AUTHORIZING A PREDEVELOPMENT GRANT AGREEMENT WITH MARTIN LUTHER KING - MARCUS GARVEY SQUARE COOPERATIVE APARTMENTS, INCORPORATED, A CALIFORNIA MUTUAL BENEFIT NONPROFIT CORPORATION, IN AN AMOUNT NOT TO EXCEED \$45,000 IN CONJUNCTION WITH A CAPITAL NEEDS ASSESSMENT OF 211 UNITS OF LOW-INCOME COOPERATIVE HOUSING; 1680 EDDY STREET; WESTERN ADDITION REDEVELOPMENT PROJECT AREA A-2, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

AND THE FOLLOWING WERE ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 90-2001 IS ADOPTED.

Items 4 (m) and (n) were presented together and acted upon separately.

- 4 (m)** Resolution No. 91-2001, Conditionally Approving the Basic Concept Design for Parcel 3 of Block N4a in the Mission Bay North Redevelopment Project Area pursuant to the Owner Participation Agreement with Catellus Development Corporation; Mission Bay North Redevelopment Project Area
- 4 (n)** Resolution No. 92-2001, Conditionally Approving the Schematic Design for Parcel 2 of Block N3, located at the corner of King, Fifth and Berry Streets in the Mission Bay North Redevelopment Project Area, pursuant to an Owner Participation Agreement with Catellus Development Corporation; Mission Bay North Redevelopment Project Area

Presenters: Tiffany Bohee, Amy Neches (Agency staff), Eric Harrison (Catellus), Bill Witte (developer), Christopher Ko (Arkitektonica)

Speakers: Jeffrey Leibovitz

President Yee asked why the architect for the project is from Florida (and not local)

Commissioner Singh commented that the photographs and renderings look very nice and asked for the development costs for the proposed projects. Mr. Singh asked the developer if they had any Indian contractors for this project and if so, the amount of the contract.

Commissioner Dunlop stated that he was glad to see the affordability level at 50% of the Area Median Income and asked for a breakdown of unit types as well as the parking space distribution, pointing out that there should not be any discrimination of parking space allotment to the affordable units. Mr. Dunlop remarked that it was good to see bicycle racks being provided and shared that he was pleased with the overall design of the project.

Commissioner Romero was impressed with the presentation and remarked that he wouldn't change a thing and that he is supportive of the project.

Commissioner Palamountain stated that she appreciated the focus on affordability on Block N4a and asked if the bedroom mix was the same for both market-rate and low-income units, pointing out that the rental unit mix and the number of bedroom types should be consistent throughout the project. Ms. Palamountain asked if there was a market study done for the Block N4a project and commented that she is concerned about providing more family units but understands the limitation of the OPA with Catellus, and that she is expressing a policy preference with respect to the bedroom mix and distribution.

Commissioner King agreed with Ms. Palamountain's comments and concerns about the affordability concept in Mission Bay, and remarked that the Agency gave up its rights to develop Mission Bay, giving that responsibility to the City. Mr. King stated that there should be more emphasis on family units and that he would like to see more diversity in the design team.

Commissioner Dunlop added to Ms. Palamountain's comments suggesting more family units be developed and commented that there seems to be a loophole in the OPA with Catellus.

President Yee asked about the square footage of the units proposed and commented that the units seem small for families.

ADOPTION: IT WAS MOVED BY MR. ROMERO, SECONDED BY MR. DUNLOP, THAT ITEM 4(m) RESOLUTION NO. 91-2001, CONDITIONALLY APPROVING THE BASIC CONCEPT DESIGN FOR PARCEL 3 OF BLOCK N4A IN THE MISSION BAY NORTH REDEVELOPMENT PROJECT AREA PURSUANT TO THE OWNER PARTICIPATION AGREEMENT WITH CATELLUS DEVELOPMENT CORPORATION; MISSION BAY NORTH REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

AND THE FOLLOWING WERE ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 91-2001 IS ADOPTED.

ADOPTION: IT WAS MOVED BY MR. KING, SECONDED BY MR. SINGH, THAT ITEM 4(n) RESOLUTION NO. 92-2001, CONDITIONALLY APPROVING THE SCHEMATIC DESIGN FOR PARCEL 2 OF BLOCK N3, LOCATED AT THE CORNER OF KING, FIFTH AND BERRY STREETS IN THE MISSION BAY NORTH REDEVELOPMENT PROJECT AREA, PURSUANT TO AN OWNER PARTICIPATION AGREEMENT WITH CATELLUS DEVELOPMENT CORPORATION; MISSION BAY NORTH REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

AND THE FOLLOWING WERE ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 92-2001 IS ADOPTED.

- 4 (o) Resolution No. 93-2001, Authorizing the Execution of a First Amendment to the Personal Services Contract with the Private Industry Council (PIC) in an amount not to exceed \$544,564 for a total aggregate amount of \$3,325,095 to increase the Contract with Mission Hiring Hall's South of Market Employment Center (SOMECE) to provide ongoing Employment Development Services related to the staffing of the Four Seasons Hotel, Sports Club, Parking Garage and other venues related to Central Block-1 (CB-1) and other YBC developments; Yerba Buena Center Redevelopment Project Area

Presenters: Chris Iglesias (Agency staff)

Speakers: Stan Bromley, Stuart Warner, Dwayne Jones

Commissioner Singh asked what type of training is provided and if these were labor jobs and where is the job training provided.

Commissioner King stated that the Agency started this program to benefit community folks, to provide employment development specifically, construction jobs, hotel and housekeeping jobs. Mr. King pointed out that the Marriott Hotel is still not a union hotel, but thanks the hotel for being cooperative with the Agency.

Commissioner Singh commented that this is a good program and would like to tour the South of Market Employment Center.

President Yee asked when the grand opening is scheduled for the Four Seasons hotel.

ADOPTION: IT WAS MOVED BY MR. KING, SECONDED BY MR. DUNLOP, THAT ITEM 4(o) RESOLUTION NO. 93-2001, AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO THE PERSONAL SERVICES CONTRACT WITH THE PRIVATE INDUSTRY COUNCIL (PIC) IN AN AMOUNT NOT TO EXCEED \$544,564 FOR A TOTAL AGGREGATE AMOUNT OF \$3,325,095 TO INCREASE THE CONTRACT WITH MISSION HIRING HALL'S SOUTH OF MARKET EMPLOYMENT CENTER (SOMECE) TO PROVIDE ONGOING EMPLOYMENT DEVELOPMENT SERVICES RELATED TO THE STAFFING OF THE FOUR SEASONS HOTEL, SPORTS CLUB, PARKING GARAGE AND OTHER VENUES RELATED TO CENTRAL BLOCK-1 (CB-1) AND OTHER YBC DEVELOPMENTS; YERBA BUENA CENTER REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

AND THE FOLLOWING WERE ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 93-2001 IS ADOPTED.

At this time (8:11 p.m.) Commissioner Foriest Settles returns

- 4 (p)** Resolution No. 94-2001, Authorizing the Executive Director to Execute a Personal Services Contract with EDAW Inc. in an amount not to exceed \$1,237,965 for Architecture and Engineering Services for the South Beach Park and Harbor Improvement Project, and Authorizing the Executive Director to expend up to an additional \$25,000 for additional services under the Contract; Rincon Point-South Beach Redevelopment Project Area

Presenters: Amy Neches, James Nybakken, Chris Iglesias (Agency staff)

Speakers: Tom Rogers, Martin Fay, Bob Mason, Michael Sweet, Jeffrey Leibovitz, **(all speaking in support of the contract)**
Donald Moore, Manuel Chavez, Dolph Rempp, Oscar Hernandez, Greg Seagal, Carla Rempp, Ian Robinson, Connie Seichman **(all speaking about saving the Dolphin P. Rempp Sailing Ship restaurant)**

Commissioner Dunlop thanked the consultants for coming to the meeting and applauded their efforts on diversity. Mr. Dunlop stated that he was 100% behind the contract and to get the job done so that the harbor operations can be transferred to the Port of San Francisco. Mr. Dunlop pointed out that CAC meetings are open to the public and people who are concerned with the sailing ship restaurant can participate in the CAC meetings.

Commissioner King supports the program as proposed but opposes the resolution for the personal services contract. Mr. King stated that the harbor operations should be turned-over to the Port so that it can take over the harbor because the Agency should get out of maritime activities.

Commissioner Singh asked if the contract includes the removal of the sailing ship restaurant and if the harbor is to be turned-over to the Port, why is the Agency spending the money for the personal services contract.

President Yee suggested to place the sailing ship restaurant matter on the next agenda.

Commissioner Foriest Settles asked what the timeline was for completing the harbor project.

Commissioner Palamountain stated that by approving the personal services contract, it moves the Agency closer to completing the project and turning it over to the Port of San Francisco.

President Yee opined that the approval of the contract would delay turning over the harbor operations to the Port.

Commissioner Romero remarked that not approving the contract will further delay the transfer to the Port because the project is not yet complete.

Commissioner Foriest Settles asked if the communication from the Port stating that it would accept transfer of the harbor from the Agency, was from the Port Director or its Commission.

Commissioner King suggested that discussion with the Port should continue and work towards transferring the harbor operations to the Port.

Commissioner Foriest Settles commented that conceptually, it is the right thing to do, but she had concerns about voting on the contract at that time without the discussion with the Port having taken place.

Commissioner Foriest Settles put forth a motion to continue the matter to the July 3rd Commission meeting.

MOTION: IT WAS MOVED BY MR. FORIEST SETTLES, SECONDED BY MR. KING THAT ITEM 4 (p) RESOLUTION NO. 94-2001, AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A PERSONAL SERVICES CONTRACT WITH ED AW INC. IN AN AMOUNT NOT TO EXCEED \$1,237,965 FOR ARCHITECTURE AND ENGINEERING SERVICES FOR THE SOUTH BEACH PARK AND HARBOR IMPROVEMENT PROJECT, AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXPEND UP TO AN ADDITIONAL \$25,000 FOR ADDITIONAL SERVICES UNDER THE CONTRACT; RINCON POINT-SOUTH BEACH REDEVELOPMENT PROJECT AREA, BE CONTINUED TO THE COMMISSION MEETING OF JULY 3, 2001, AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Mr. Romero
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

Ms. Palamountain

AND THE FOLLOWING WERE ABSENT.

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) NO.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION CARRIED.

PERSONS WISHING TO ADDRESS THE MEMBERS ON NON-AGENDA, BUT AGENCY RELATED MATTERS:

- Michael Sweet, Jeffrey Leibovitz, Dolph Remp

REPORT OF THE PRESIDENT

- Inquired about the Agency Newsletter and suggested to resume quarterly publication.

REPORT OF THE EXECUTIVE DIRECTOR

- Announced that there is no Commission meeting on May 29th
- Tutubi Park ribbon-cutting ceremony, May 26th at 11:00 a.m.
- Community meeting on Parcel 732-A at the Westbay Conference Center on May 30th at 6:00 p.m.
- Court hearing to challenge the YBC (Bloomingdale's) Plan Amendment on the following issues:
 - Insufficient finding of blight
 - Inadequate EIR analysis on parking and traffic
 - Demolition and reconstruction of Emporium building dome
 - Notice to vacate to lessees
- Received memorandum from Executive Assistants – no recommendation at this point – Agency Resolution adopted November 14, 2000 included the Executive Assistant positions in the arbitration.

President Yee asked the Director if he considers the Commission Secretary to be part of the Executive Management staff

COMMISSIONERS' QUESTIONS AND MATTERS

- Commissioner Dunlop informed the Commission that he will not be present at the June 5th Commission meeting.
- Commissioner Romero asked if there has been an award from the Arbitrator.
- Commissioner King disagreed with the Director and asked if there has been a final decision from the Arbitrator.
- Commissioner Foriest Settles reported on her attendance at the CRA Redevelopment Institute in Anaheim and informed the Commission that a written report will be provided to the Agency Secretary for distribution to the Commission. Ms. Foriest Settles proposed scheduling items on a Summer Agenda to accommodate Commissioners' summer schedules.

MOTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MS. FORIEST SETTLES, AND UNANIMOUSLY CARRIED, TO PLACE A CLOSED SESSION ITEM REGARDING LABOR NEGOTIATIONS WITH THE EXECUTIVE ASSISTANTS ON THE JUNE 5TH COMMISSION MEETING.

CLOSED SESSION


This closed session item (a) was continued to the meeting of June 5th.

- (a) Pursuant to Government Code §54957.6 to instruct the Agency's designated representatives to negotiate with unrepresented employees: Deputy Executive Director, Program and Project Management; Deputy Executive Director, Finance and Administration; Agency General Counsel; and Human Resources Manager. Agency designated representative: James B. Morales

ADJOURNMENT

It was moved by Mr. Romero, seconded by Ms. Foriest Settles, and unanimously carried that the meeting be adjourned. The meeting adjourned at 10:03 p.m.

Respectfully submitted,



Erwin R. Tanjuaque
Agency Secretary

APPROVED, AS AMENDED:

June 12, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
5TH DAY OF JUNE 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 5th day of June, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Benny Y. Yee, President
Leroy King, Vice President
Kathryn C. Palamountain
Ramon E. Romero
Michal Foriest Settles
Darshan Singh

and the following was absent:

Mark Dunlop

DOCUMENTS DEPT.

SEP 13 2007

The President declared that a quorum was present.

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The Commission met in a Special Meeting as the Housing Committee of the Affordable Housing and Home Ownership Bond Program before commencing the Regular Meeting Agenda. The Housing Committee meeting was called to order at 4:03 p.m. and adjourned at 4:35 p.m.

James B. Morales, Executive Director, and staff members were also present.

John L. Taylor, Parliamentarian was also in attendance.

MATTERS OF NEW BUSINESS – CONSENT AGENDA

4 (a) Approval of Minutes: Meetings of May 8 and 15, 2001

ADOPTION: IT WAS MOVED BY MR. KING, SECONDED BY MR. SINGH, AND UNANIMOUSLY CARRIED (MR. DUNLOP ABSENT) THAT CONSENT AGENDA ITEM 4(a) APPROVAL OF MINUTES FOR THE MEETINGS OF MAY 8 AND 15, 2001, BE ADOPTED.

REGULAR AGENDA

- 4 (b) Resolution No. 95-2001, Authorizing the Executive Director to enter into a Housing Opportunities for Persons with AIDS Program Capital Loan Agreement in an amount not to exceed \$883,332 with West Hotel SRO, Inc. to fund the rehabilitation of 10 units for persons with HIV/AIDS in the West Hotel, 141-145 Eddy Street; Housing Opportunities for Persons with AIDS Program

Presenters: Joan McNamara (MOH), Kelly Cullen (TNDC)

Speakers: Tommy Funanish, Gerardo Muyco, Don Falk

Commissioner Singh asked if this is a loan or a grant and what the loan term was.

President Yee asked about the payment terms during the 50-year loan term and asked for an explanation of “deferred” interest, as well as the interest rate on the loan. Mr. Yee expressed his personal feelings and commended TNDC for doing an outstanding job, but remarked that at a recent radio program with TNDC, there was no mention of Agency staff who worked on this project. Mr. Yee gently advised to include the Agency’s contribution when discussing affordable housing projects.

Commissioner Palamountain thanked staff for its hard work and was delighted to see the maximum number of units in the development and commended TNDC for great community service.

Commissioner Foriest Settles asked if there will be an on-site manager and inquired about the occupancy rate at the West Hotel.

ADOPTION: IT WAS MOVED BY MR. SINGH, SECONDED BY MS. FORIEST SETTLES, THAT ITEM 4(b) RESOLUTION NO. 95-2001, AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAM CAPITAL LOAN AGREEMENT IN AN AMOUNT NOT TO EXCEED \$883,332 WITH WEST HOTEL SRO, INC. TO FUND THE REHABILITATION OF 10 UNITS FOR PERSONS WITH HIV/AIDS IN THE WEST HOTEL, 141-145 EDDY STREET; HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAM, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED “AYE”:

Mr. King
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

AND THE FOLLOWING WERE ABSENT.

Mr. Dunlop

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 95-2001 IS ADOPTED.

- 4 (c) Resolution No. 96-2001, Authorizing the Executive Director to Expend an amount not to exceed \$190,000 as an advance of funds pursuant to the Agency's Deed of Trust to protect the Agency's secured interest in the Jordan Apartments, 820 O'Farrell Street; Agency Citywide Tax Increment Affordable Housing Program

Presenters: Michele Davis (Agency staff)

Commissioner Singh asked if there were other lien holders on the property and what is the loan amount.

ADOPTION: IT WAS MOVED BY MR. SINGH, SECONDED BY MR. KING, AND UNANIMOUSLY CARRIED (MR. DUNLOP ABSENT) THAT ITEM 4(c) RESOLUTION NO. 96-2001, AUTHORIZING THE EXECUTIVE DIRECTOR TO EXPEND AN AMOUNT NOT TO EXCEED \$190,000 AS AN ADVANCE OF FUNDS PURSUANT TO THE AGENCY'S DEED OF TRUST TO PROTECT THE AGENCY'S SECURED INTEREST IN THE JORDAN APARTMENTS, 820 O'FARRELL STREET; AGENCY CITYWIDE TAX INCREMENT AFFORDABLE HOUSING PROGRAM, BE ADOPTED.

- 4 (d) Resolution No. 97-2001, Authorizing a Housing Opportunities for Persons with AIDS Rental Assistance Agreement in an amount not to exceed \$30,711 with the San Francisco AIDS Foundation for its Emergency Housing Program

Presenters: Jennifer Oberly (Agency staff)

President Yee asked if Ms. Oberly is a new Agency employee and how long has she been with the Agency.

Commissioner Singh asked for the percentage of clients served under this program.

ADOPTION: IT WAS MOVED BY MS. FORIEST SETTLES, SECONDED BY MR. SINGH, AND UNANIMOUSLY CARRIED (MR. DUNLOP ABSENT), THAT ITEM 4(d) RESOLUTION NO. 97-2001, AUTHORIZING A HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS RENTAL ASSISTANCE AGREEMENT IN AN AMOUNT NOT TO EXCEED \$30,711 WITH THE SAN FRANCISCO AIDS FOUNDATION FOR ITS EMERGENCY HOUSING PROGRAM, BE ADOPTED.

- 4 (e) Resolution No. 98-2001, Authorizing the Executive Director to Execute the following documents with Mercy Properties California, a California nonprofit public benefit corporation, in connection with the rehabilitation and operation of 151 units of very low income rental housing at Marlton Manor, 240 Jones Street: 1) a First Amendment to the Tax Increment Loan Agreement extends the loan payment term to 55 years for a previously provided loan in an amount not to exceed \$1,335,105; and 2) a Standby Payment Agreement with Mercy Properties California and the Marlton Manor permanent lender; Housing and Preservation and Citywide Tax Increment Housing Programs

Presenters: Kate Hartley (Agency staff)

Speakers: Mary Helen Rogers, Carmen Johnson

President Yee asked if Ms. Hartley is a new Agency employee and upon reflection, Mr. Yee remembered that Ms. Hartley has presented before the Commission a few months earlier.

Commissioner Singh asked how much outstanding loans there were on all projects in the Agency and requested such a report including all loans as well as total payments received by the Agency.

Commissioner Foriest Settles asked what the maximum term of the lease for this development.

ADOPTION: IT WAS MOVED BY MR. SINGH, SECONDED BY MS. FORIEST SETTLES, AND UNANIMOUSLY CARRIED (MR. DUNLOP ABSENT), THAT ITEM 4(e) RESOLUTION NO. 98-2001, AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE FOLLOWING DOCUMENTS WITH MERCY PROPERTIES CALIFORNIA, A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION, IN CONNECTION WITH THE REHABILITATION AND OPERATION OF 151 UNITS OF VERY LOW INCOME RENTAL HOUSING AT MARLTON MANOR, 240 JONES STREET: 1) A FIRST AMENDMENT TO THE TAX INCREMENT LOAN AGREEMENT EXTENDS THE LOAN PAYMENT TERM TO 55 YEARS FOR A PREVIOUSLY PROVIDED LOAN IN AN AMOUNT NOT TO EXCEED \$1,335,105; AND 2) A STANDBY PAYMENT AGREEMENT WITH MERCY PROPERTIES CALIFORNIA AND THE MARLTON MANOR PERMANENT LENDER; HOUSING AND PRESERVATION AND CITYWIDE TAX INCREMENT HOUSING PROGRAMS, BE ADOPTED.

- 4 (f) Resolution No. 99-2001, Authorizing the Executive Director to Execute the following documents with Tenderloin Neighborhood Development Corporation, a California nonprofit public benefit corporation ("TNDC"), pertaining to the rehabilitation and operation of 179 units of housing for very low income persons at the Alexander Residence, 230 Eddy Street: 1) a Housing Opportunities for Persons with AIDS Capital Loan Agreement in the amount not to exceed \$565,000 to enable 18 units of rental housing for very low income persons with disabling HIV/AIDS; and 2) a Standby Payment Agreement with TNDC and the Alexander permanent lender in an amount not to exceed \$4 million to guarantee a 15-year loan underwritten with Section 8 rent subsidies; the Agency's Housing and Preservation and Citywide Tax Increment Housing Programs

Presenters: Kate Hartley (Agency staff)

Speakers: Marvis J. Phillips, Kelly Cullen

Commissioner Singh asked if the proposed \$4 million guarantee is standard Agency practice and why is guarantee needed when TNDC owns many properties in the City. Mr. Singh asked about the level of affordability and how much TNDC receives in rent payments (from tenants).

Commissioner Romero stated that the Agency needs to recognize the good work of organizations like TNDC, Habitat for Humanity and commended their good work and public service. Mr. Romero commented that he has come to learn the housing development and preservation process and is very proud to be a member of a Commission who works to reach the poorest in our City to provide them with the most basic need for shelter and affordable housing.

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MS. FORIEST SETTLES, AND UNANIMOUSLY CARRIED (MR. DUNLOP ABSENT) THAT ITEM 4(f) RESOLUTION NO. 99-2001, AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE FOLLOWING DOCUMENTS WITH TENDERLOIN NEIGHBORHOOD DEVELOPMENT CORPORATION, A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION (“TNDC”), PERTAINING TO THE REHABILITATION AND OPERATION OF 179 UNITS OF HOUSING FOR VERY LOW INCOME PERSONS AT THE ALEXANDER RESIDENCE, 230 EDDY STREET: 1) A HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS CAPITAL LOAN AGREEMENT IN THE AMOUNT NOT TO EXCEED \$565,000 TO ENABLE 18 UNITS OF RENTAL HOUSING FOR VERY LOW INCOME PERSONS WITH DISABLING HIV/AIDS; AND 2) A STANDBY PAYMENT AGREEMENT WITH TNDC AND THE ALEXANDER PERMANENT LENDER IN AN AMOUNT NOT TO EXCEED \$4 MILLION TO GUARANTEE A 15-YEAR LOAN UNDERWRITTEN WITH SECTION 8 RENT SUBSIDIES; THE AGENCY’S HOUSING AND PRESERVATION AND CITYWIDE TAX INCREMENT HOUSING PROGRAMS, BE ADOPTED.

- 4 (g) Resolution No. 100-2001, Authorizing the Executive Director to Enter into Exclusive Negotiations with Habitat/EM Johnson Interest, Inc. for the disposition of Parcel EE-2, located at Whitney Young Circle and Hudson Avenue to develop affordable housing for first time homebuyers; Hunters Point Redevelopment Project Area

Presenters: Lucia Mele (Agency staff), Michael Johnson (EM Johnson Interest), Michael Willis (Architect), Derf Butler (Butler Assoc.), Jim Lowder (Habitat)

Speakers: Randy Martin, Gloria D. Ramos, Sitara Kapoor, Jim Lowder, Emily Rogers, Linda Richardson, Oscar James, Troy Reese, Derek Smith, Jesse Mason, John Smith

President Yee asked why the per unit cost is higher than the other proposals, pointing out that \$273 per square foot seems high.

Commissioner King moved the item and stated that he has been waiting for 15 long years to see this parcel developed. Mr. King congratulated the Bayview PAC for its good work and reminded staff to not forget about the certificate holders.

Commissioner Foriest Settles expressed her proud feelings that this has been a very rewarding meeting in that the Commission has impacted people that are not even in the meeting by approving all of the housing projects before the Commission. Ms. Foriest Settles congratulated the staff and the community for their hard work.

ADOPTION: IT WAS MOVED BY MR. KING, SECONDED BY MR. SINGH, AND UNANIMOUSLY CARRIED (MR. DUNLOP ABSENT), THAT ITEM 4(g) RESOLUTION NO. 100-2001, AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO EXCLUSIVE NEGOTIATIONS WITH HABITAT/EM JOHNSON INTEREST, INC. FOR THE DISPOSITION OF PARCEL EE-2, LOCATED AT WHITNEY YOUNG CIRCLE AND HUDSON AVENUE TO DEVELOP AFFORDABLE HOUSING FOR FIRST TIME HOMEBUYERS; HUNTERS POINT REDEVELOPMENT PROJECT AREA, BE ADOPTED.

PERSONS WISHING TO ADDRESS THE MEMBERS ON NON-AGENDA, BUT AGENCY RELATED MATTERS:

- James Tracy

REPORT OF THE PRESIDENT

- Attended the groundbreaking ceremony at Third and LaSalle, the SFHDC affordable housing project (May 30th)

REPORT OF THE EXECUTIVE DIRECTOR

- Community meeting held on May 30th regarding Parcel 732-A, the Fillmore Renaissance Project.
- Provided copies of the revised Agency budget, as approved by the Mayor's office
- Hearing on lawsuit regarding Bloomingdale's – General Plan consistency challenge with reconstruction of Emporium building dome where the Court

found it consistent with the City's General Plan; the Court found that the EIR adequately analyzed the traffic issues. Plaintiffs will probably appeal the Court's decision.

- Agency received \$1.5 million (from CHFA) in loan money for Mission Bay affordable housing – significant because Mission Bay is not yet generating tax increment revenues.
- Received eleven (11) responses from RFP for the African American Cultural Institute – will provide list to Commission next week.
- Contacted Port Director regarding transfer of harbor operations from the Agency to the Port.
- Olson Lee testifying at the Millennial Housing Commission, discussing the Agency's housing preservation program – will provide copy of written remarks to the Commission.
- Ayisha Benham has accepted the position of Deputy Executive Director for Finance and Administration and will start working on July 2nd.
- Board of Supervisors Resolution commending Commissioner Mark Dunlop and declaring May 29, 2001 as Mark Dunlop Day.
- Discovery of radioactive material (sandblast grit) on Parcel B in the Hunters Point Shipyard – contacted EPA to conduct field investigation and awaiting report.
- Press Conference scheduled for June 6th in the Shipyard held by ARC Ecology to discuss Shipyard toxic clean-up efforts.
- Conveyance of Shipyard to Lennar/BVHP will be delayed due to the delay in Navy clean up of toxic materials – June 1st deadline for finalizing Concept Plan will not be met.
- RFP for technical assistance for the Shipyard CAC will be published, contingent upon approval of the Agency's budget.

President Yee requested an update on the Pier 40 restaurant.

Mr. Morales reported that as part of the Agency's lawsuit, the tenants at the Pier 40 Roastery have abandoned the property and the Agency will soon take possession.

Commissioner King asked who is holding the Shipyard press conference and if the Agency is involved. Mr. King requested staff to report back to the Commission. Mr. King commented that if the delay in clean up continues, we may not have a developer and advised staff to continue working with Lennar.

COMMISSIONERS' QUESTIONS AND MATTERS

- Commissioner Palamountain stated her appreciation to staff working with the Coalition on Homeless, specifically on the Raymond Hotel fire and asked for more information.

Mr. Morales explained that the Agency's Central Relocation Division provides housing vouchers for fire survivors and has provided additional vouchers for two weeks to Raymond Hotel fire victims.

- Commissioner Palamountain requested a copy of the EPA report regarding the discovery of radioactive material on Parcel B in the Shipyard. Ms. Palamountain reiterated her support of policies that ensure the clean up of the Shipyard parcels.
- Commissioner Foriest Settles publicly recognized Commissioner Mark Dunlop getting a Board of Supervisors commendation resolution and Commissioner Leroy King being honored as the "Man of the Year" by the United Body of Believers last May 26th. Ms. Foriest Settles reported her and Commissioner Palamountain's briefing with Housing staff which included a tour of housing developments in the South of Market and Tenderloin areas.

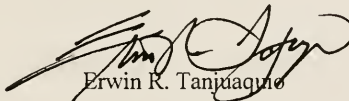
CLOSED SESSION

- (a) Pursuant to Government Code §54956.9(a): Conference with Legal Counsel regarding arbitration with regard to Placement of Employees (ARB. Case #00-0-378, Dept. of Industrial Relations). Parties: International Federation of Professional and Technical Engineers Local 21; Service Employees International Union Local 790; and San Francisco Redevelopment Employees Association.
- (b) Pursuant to Government Code §54957.6 to instruct the Agency's designated representatives to negotiate with unrepresented employees: Deputy Executive Director, Program and Project Management; Deputy Executive Director, Finance and Administration; Agency General Counsel; and Human Resources Manager. Agency designated representative: James B. Morales

ADJOURNMENT

It was moved by Mr. King, seconded by Mr. Singh, and unanimously carried that the meeting be adjourned. The meeting adjourned at 9:18 p.m.

Respectfully submitted,


Erwin R. Tanjiaquillo
Agency Secretary

APPROVED:

June 12, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
12TH DAY OF JUNE 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 12th day of June, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Benny Y. Yee, President
Leroy King, Vice President
Mark Dunlop
Kathryn C. Palamountain
Michal Foriest Settles
Darshan Singh

and the following was absent:

Ramon E. Romero

DOCUMENTS DEPT.

SEP 13 2007

The President declared that a quorum was present.

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James B. Morales, Executive Director, and staff members were also present.

MATTERS OF NEW BUSINESS – CONSENT AGENDA

- 4 (a) Approval of Minutes: Meetings of May 22 and June 5, 2001
- 4 (b) Resolution No. 101-2001, Authorizing the Purchase of a new IBM iSeries 400 Model 820 from International Business Machines Corporation in an amount not to exceed \$46,000
- 4 (c) Resolution No. 102-2001, Authorizing a First Amendment to a Housing Opportunities for Persons with AIDS Technical Assistance Agreement with the Corporation for Supportive Housing for a total amount of \$118,195 extending the agreement term through June 30, 2002

Commissioner Foriest Settles requested that page 21 of the May 22nd minutes be revised to remove the word “not” from her question regarding the Port accepting transfer of the harbor.

ADOPTION: IT WAS MOVED BY MR. KING, SECONDED BY MS. PALAMOUNTAIN, AND UNANIMOUSLY CARRIED (MR. ROMERO ABSENT) THAT CONSENT AGENDA ITEMS 4(a) APPROVAL OF MINUTES FOR THE MEETINGS OF MAY 22 AND JUNE 5, 2001, AS AMENDED, 4(b) Resolution No. 101-2001, AUTHORIZING THE PURCHASE OF A NEW IBM ISERIES 400 MODEL 820 FROM INTERNATIONAL BUSINESS MACHINES CORPORATION IN AN AMOUNT NOT TO EXCEED \$46,000, AND 4 (c) RESOLUTION NO. 102-2001, AUTHORIZING A FIRST AMENDMENT TO A HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS TECHNICAL ASSISTANCE AGREEMENT WITH THE CORPORATION FOR SUPPORTIVE HOUSING FOR A TOTAL AMOUNT OF \$118,195 EXTENDING THE AGREEMENT TERM THROUGH JUNE 30, 2002, BE ADOPTED.

REGULAR AGENDA

Items 4(d) and (e) were presented together and acted upon separately.

- 4 (d)** Resolution No. 103-2001, Authorizing the Issuance of Revenue Bonds of the Redevelopment Agency of the City and County of San Francisco Community Facilities District No. 4 (Mission Bay North Public Improvements) in an amount not to exceed \$17,000,000, Authorizing the execution of an Indenture of Trust, and other related documents and actions; Mission Bay North Redevelopment Project Area
- 4 (e)** Resolution No. 104-2001, Authorizing the Issuance of Special Tax Bonds of the Redevelopment Agency of the City and County of San Francisco Community Facilities District No. 6 (Mission Bay South Public Improvements) in an amount not to exceed \$54,000,000, Authorizing the execution of a Fiscal Agent Agreement and other related documents and actions; Mission Bay South Redevelopment Project Area

Presenters: Mario Menchini (Agency staff)

Commissioner Dunlop asked what is the total amount of the bond issuance.

Commissioner Singh asked if the underwriter was present. Mr. Singh asked how will the bonds be floated or issued and how long would it take to repay the bonds. Mr. Singh also asked what the interest rate was, the Agency's bond rating, if it was Standard and Poor and/or Moody's.

Commissioner Foriest Settles asked for an explanation of the selection process for the bond underwriters and asked if the Agency solicited the underwriter. Following an explanation of the selection process, Ms. Foriest Settles asked if staff considered other firms in the pool of underwriters. Ms. Foriest Settles referred to the Commission memorandum (on Mission Bay South) where it discusses "certain synergies and efficiencies" achieved by the Agency by using the same underwriter for both bond issuance and asked for clarification and specifically financial savings for the Agency, if any.

Commissioner King stated his support for the items but asked if there were minority firms in the pool and rhetorically asked if the Agency went out to bid. Mr. King stated that he had no problem with the underwriting firm for the bond issuance however, the Agency should not use the same underwriter all the time and stressed the need for diversity. Mr. King remarked that these bonds are good for the Agency and supports their approval, but asked that diversity be kept in mind when choosing the underwriter.

Commissioner Singh asked if the underwriter is paid commission fees and who the financial advisor was, if the advisor recommended the underwriter to the Agency and how much the Agency paid for the financial advisor's services.

President Yee asked who appoints members of the selection panel for the underwriter and asked about the interview process. Mr. Yee understood that negotiations do not always occur in person and handled over the telephone.

Commissioner Singh requested staff to report on the progress of the bond sales.

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MR. DUNLOP, AND UNANIMOUSLY CARRIED (MR. ROMERO ABSENT), THAT ITEM 4(d) RESOLUTION NO. 103-2001, AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO COMMUNITY FACILITIES DISTRICT NO. 4 (MISSION BAY NORTH PUBLIC IMPROVEMENTS) IN AN AMOUNT NOT TO EXCEED \$17,000,000, AUTHORIZING THE EXECUTION OF AN INDENTURE OF TRUST, AND OTHER RELATED DOCUMENTS AND ACTIONS; MISSION BAY NORTH REDEVELOPMENT PROJECT AREA, BE ADOPTED.

ADOPTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MS. PALAMOUNTAIN, AND UNANIMOUSLY CARRIED (MR. ROMERO ABSENT), THAT ITEM 4(e) RESOLUTION NO. 104-2001, AUTHORIZING THE ISSUANCE OF SPECIAL TAX BONDS OF THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO COMMUNITY FACILITIES DISTRICT NO. 6 (MISSION BAY SOUTH PUBLIC IMPROVEMENTS) IN AN AMOUNT NOT TO EXCEED \$54,000,000, AUTHORIZING THE EXECUTION OF A FISCAL AGENT AGREEMENT AND OTHER RELATED DOCUMENTS AND ACTIONS; MISSION BAY SOUTH REDEVELOPMENT PROJECT AREA, BE ADOPTED.

- 4 (f) Resolution No. 105-2001, Authorizing the Executive Director to Re-Enter Exclusive Negotiations with Asian, Inc., for the disposition of an Agency owned parcel at 474 Natoma Street to develop Affordable Housing for first time homebuyers; South of Market Earthquake Recovery Redevelopment Project Area

Presenters: Olson Lee (Agency staff), Antoinetta Stadlman, Charles Range (SOM PAC), Chris Reyes (Asian Inc.)

Speakers: Masako Matsasako, Ed Tong, Alex Chiu, Joel Luebke, Brett Gladstone, Lee Saylor, Ed Walker,

President Yee asked Mr. Olson Lee if staff's cost estimates for the development are consistent with that of the cost estimator. Mr. Yee stated that it is bothersome that staff did not provide all of the information at the April 3rd Commission meeting, information that is very important in helping the Commission make its decision, such as the fact that there is an increase in the square footage of the proposed development by 12,000 square feet which of course results in an increase of development costs – such information was not provided to the Commission and the vote was four to three and Asian Inc. almost lost the rights to negotiate for this property. Mr. Yee asked Mr. Lee directly if such information was purposely left out or intentionally withheld from the Commission.

Commissioner Dunlop interjected and remarked that this line of questioning is inappropriate and berating of staff. Mr. Dunlop put forth a challenge to the Chair.

President Yee asked what is the basis of Mr. Dunlop's challenge.

Commissioner Dunlop responded by saying that he is challenging the Chair's line of questioning.

President Yee ruled Mr. Dunlop out of order and explained that he is not berating staff and is simply asking a question. Mr. Yee made a general statement that the Commission and staff are here to serve the public and advised the public to report to the Commission any incidence of Agency staff "flexing their muscles" and abusing their power. Mr. Yee again asked if Mr. Lee intentionally or unintentionally leave out the information about the increase in square footage.

Mr. Lee responded and stated that he recalls presenting at the April 3rd Commission meeting and informing the Commission that the scope of the project has changed in terms of the number of units being increased and that Asian Inc. sent a letter to the Commission clarifying the change and resulting increase in development cost. Mr. Lee stated that he too, serves the public and is concerned with how public dollars are spent.

President Yee appreciated Mr. Lee's response but remarked that Asian Inc.'s letter came two days after the meeting and advised that important information like that should be provided to the Commission in order for the Commission to support the re-entry to exclusive negotiations. Mr. Yee stated that staff overlooked this fact and did not provide the information to the Commission.

Mr. Lee stated that staff recommended approval of the re-entry to exclusive negotiations in April and is recommending the same today.

Mr. Morales added that this matter also went before the Housing Loan Committee where all of the information was provided and that all of the detailed material was provided to the Commission last April, both in written material and in the oral presentation and there was no withholding of information by staff, and staff did its job.

President Yee shared his concern about the 45-day extension and have instructed staff to resolve the insurance issue by obtaining another policy for the remaining two years. Mr. Yee counseled staff to treat everyone equally and fairly and advised the public to notify the Commission of any mishandling of any Agency projects by staff.

Commissioner Singh asked if the increase in development costs due to the increase in square footage is reasonable in staff's view. Mr. Singh remarked that the Commission just approved \$70 million in bonds and it seems that the increase in development costs pale in comparison. Mr. Singh asked for a show of hands in the audience supporting the project. Mr. Singh moves the item.

Commissioner Foriest Settles seconds the item. Ms. Foriest Settles thanked Olson Lee for spending time with her and Commissioner Palamountain and visiting various affordable housing developments in South of Market and the Tenderloin, pointing out that Mr. Lee was not at the previous meeting when Ms. Foriest Settles acknowledged and thanked staff for the housing tour. Ms. Foriest Settles asked if it was typical that cost increases occur and the scope of development changes months after the RFP is issued – is it usual for costs to increase at the time of submission and is the increase in costs attributed the fact that these are condominiums and not rental apartments. Ms. Foriest Settles asked what would happen if the insurance issue is not resolved in 45 days and can it be resolved (in staff's professional opinion) to the Agency's satisfaction. Ms. Foriest Settles shared her concerns about testimony from members of the South of Market PAC regarding the loss of credibility in representing the community as well as concerns about the significant increases in costs. She stated that our credibility is all that we have and stressed the importance of clear communications not only to the PAC but the public. Ms. Foriest Settles acknowledged the critical housing needs in the City and stated her support for the item.

Commissioner Palamountain inquired about the bidding process and asked is it the assumption that construction will start soon after the RFP deadline and do developers build-in contingencies for construction cost increases. Ms. Palamountain asked about the cost estimate comparison with the other RFP respondent. She shared her concerns about the PAC's allegations of "low-balling" and considers this very serious and advised staff to continue being responsive to such concerns. Ms. Palamountain referred to the increase in square footage and asked if anything from the overall development design has been eliminated and was advised that the child care facility has been deleted from the development. Ms. Palamountain recalled that at the previous Commission meeting, Asian Inc. requested funding for an after school program at another development and now have eliminated the child care facility for 474 Natoma, citing the apparent inconsistency. Ms. Palamountain pointed out that the Agency is providing a \$5 million subsidy for this project, which translates to over 50% in public subsidy and asked if there were other housing projects with similar levels of public subsidies. Ms. Palamountain asked about the 65% of Area Median Income affordability level, if this would be written in the DDA and was informed that the actual average of affordability level is 80% of Area Median Income. She expressed grave concerns with Asian Inc.'s representation that the affordability level is at 65% of Area Median Income when in reality, it's at 80% and asked if additional subsidies are warranted for the 80% affordability level.

Commissioner Dunlop appreciated the concerns from the PAC and thanked them for coming to the meeting. Mr. Dunlop pointed out that staff has done their homework by hiring a cost estimator, but hoped not to see any more major increases in costs. Mr. Dunlop stated his support for the item and counseled staff to continue doing its good work.

Commissioner King stated he was glad to see the PAC come and speak out on this matter and pointed out that he voted against the item at the April 3rd meeting because he shares the same concerns as the PAC about developers submitting low bids and then increases the costs after they are selected. Mr. King shared his concerns that Asian Inc. submitted a bid and have increased the development costs significantly and now there is a problem with insurance. Mr. King pointed out that this is not Agency policy and that developers should stay within their submitted bids. Mr. King stated that the Agency must now move forward and help address the housing needs of the City.

President Yee stated that such delays are not in the best interest of the City and inquired if the full 45 days are really needed to resolve the insurance issue and counseled staff to move as rapidly as they can to complete the process.

ADOPTION: IT WAS MOVED BY MR. SINGH, SECONDED BY MS. FORIEST SETTLES, THAT ITEM 4(f) RESOLUTION NO. 105-2001, AUTHORIZING THE EXECUTIVE DIRECTOR TO RE-ENTER EXCLUSIVE NEGOTIATIONS WITH ASIAN, INC., FOR THE DISPOSITION OF AN AGENCY OWNED PARCEL AT 474 NATOMA STREET TO DEVELOP AFFORDABLE HOUSING FOR FIRST TIME HOMEBUYERS; SOUTH OF MARKET EARTHQUAKE RECOVERY REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

Ms. Palamountain

AND THE FOLLOWING WERE ABSENT.

Mr. Romero

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FIVE (5) AYES AND ONE (1) NO.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 105-2001 IS ADOPTED.

- 4 (g) Resolution No. 106-2001, Authorizing a Master Services Agreement with the Planning Department of the City and County of San Francisco in an amount not to exceed \$596,148 for work related to Redevelopment Project Areas and Survey Areas for Fiscal Years 2000-2003

Presenters: Jose Campos (Agency staff)

Speakers: Oscar James

Commissioner Foriest Settles stated that she appreciated the tier system of services provided and asked if the second tier refers to public meetings. Ms. Foriest Settles noted that the timeline says year 2000 and asked for an explanation of the lag in time and requested a report on how much money was spent between 2000 and 2001.

ADOPTION: IT WAS MOVED BY MR. KING, SECONDED BY MR. SINGH, AND UNANIMOUSLY CARRIED (MR. ROMERO ABSENT), THAT ITEM 4(g) RESOLUTION NO. 106-2001, AUTHORIZING A MASTER SERVICES AGREEMENT WITH THE PLANNING DEPARTMENT OF THE CITY AND COUNTY OF SAN FRANCISCO IN AN AMOUNT NOT TO EXCEED \$596,148 FOR WORK RELATED TO REDEVELOPMENT PROJECT AREAS AND SURVEY AREAS FOR FISCAL YEARS 2000-2003, BE ADOPTED.

- 4 (h) Resolution No. 107-2001, Authorizing the Termination of the Agreement for disposition of land for private development with Fillmore Renaissance Associates, L.P., a California limited partnership; in connection with the development of Parcel 732-A located on the northeast corner of Fillmore and Eddy Streets; Western Addition Approved Redevelopment Project Area A-2

Presenters: Ricky Tijani (Agency staff), Chuck Collins (Fillmore Renaissance)

Speakers: Nontsizi Cayou, David Ish, Mary Rogers, Charles Ward, Al Norman, Regina Davis, Brett Gladstone, Essie Collins, Sam Seiba, Agonafer Shiferaw, Paula Collins, Carmen Johnson

Commissioner King remarked that Agency staff got a good “bashing” tonight (from Chuck Collins), but pointed out that staff is just following the Commission’s direction. Mr. King stated that Chuck Collins had plenty of time to come up with a proposal consistent with the RFP and staff did good work in evaluating the proposal. Mr. King pointed out that the property has been vacant for 11 years and the Western Addition community does not have anything to show for the jazz preservation district. Mr. King reiterated that staff carried out the Commission’s direction to terminate the LDA and re-offer the site for development. Mr. King explained that the developer did not follow the Commission’s directions pursuant to the LDA’s requirements and Ultra Star theaters withdrew its commitment to the project. Mr. King shared that he spoke with the Department of Parking and Traffic and they advised him that the funding commitment is not certain at this time.

Commissioner Foriest Settles expressed her concern of how long the project has been delayed and heard first hand the community’s frustration (at the May 30th community meeting) as well as other pressing community needs identified like family restaurants, and that the consistent concern raised by the community was to do something with the property now and move forward. Ms. Foriest Settles shared her concerns about the housing affordability of the alternative proposal by Chuck Collins and that the number of affordable units is not enough to meet the needs of the community. Ms. Foriest Settles pointedly expressed to Chuck Collins that the overriding concern is for the community’s needs and the revitalization of Fillmore Street.

Commissioner Singh asked if there is a commitment of \$11.5 million from DPT to fund the proposed parking garage.

Commissioner Palamountain recalled two specific comments from the public that provides the proper prospective on the matter, first Mrs. Rogers’ comment that the Redevelopment Plan for Western Addition A-2 is going to expire in 2004 and that she would like to see something built on the parcel before 2004 and secondly, Ms. Paula Collins’ remarks that this is about a neighborhood. Ms. Palamountain expressed her desire to see something developed for the neighborhood with community input. Ms. Palamountain explained that her job as a Commissioner is to make decisions based upon resolutions put forth before the Commission and stated that with great reluctance, she would support the termination action before the Commission (and makes the motion to approve the termination resolution).

At this time, Mr. Chuck Collins gets up from his seat, picks up his display board and walks out of the Commission meeting room.

Ms. Palamountain continued with her statements, that the Commission either move forward with this developer, reinstating exclusive negotiations starting from ground zero, or send it out for a RFP. Ms. Palamountain remarked that up until the time that Mr. Collins walked out of the room, she had not decided which course of action to take, but stated that if a developer is not willing to sit through a process, she felt that she probably would support going out for a new RFP, yet wants to hear what other Commissioners have to say. Ms. Palamountain puts forth a motion to adopt the termination resolution.

Commissioner Dunlop reminded the Commission that Mayor Brown in January 2000, gave directions to the Commission to conclude negotiations by the end of 2000 to get something built on the parcel. Mr. Dunlop remarked that when he came to the Commission four years ago, the debate was to terminate the LDA but the Commission continued to give more time to Mr. Collins and reluctantly he would support the termination, acknowledging the fact the Mr. Collins has put forth valiant efforts and worked extremely hard to make this a viable project. Mr. Dunlop stated his support for re-offering the site in order to have a fresh start, pointing out that the development program has changed substantially, in particular the alternative proposal presented by Mr. Collins. Mr. Dunlop remarked that it would be appropriate to issue a new RFP so that other developers can compete and urged staff to work on the new RFP so that we can move forward.

President Yee stated that he felt bad that the developer left and share the same concern as Ms. Palamountain that if the developer cannot sit through this process, it means that he has given up. Mr. Yee expressed that he was turned-off with Mr. Collins' actions and stated that he respects Mr. Collins and that they are good developers with a lot of experience with the Agency. Mr. Yee stated that he would now support the termination of the LDA.

Commissioner King recalled Mr. Al Norman's public testimony that Chuck Collins have worked tirelessly on this project and he should not be terminated, Mr. King explained that the issue at hand is, are we going to get something built on that parcel and that it's not about Chuck Collins, but the larger community. Mr. King commented that the housing proposal by Chuck Collins is not for the neighborhood because what the community needs is not market-rate housing, but affordable housing for people in Western Addition. Mr. King recalled that the Agency have spent so much money in its effort to revitalize Fillmore Street and all we have is Rasellas. Mr. King expressed his support for the termination and advised staff to work with the community to

find out what it is the community wants to see developed on 732-A. Mr. King acknowledged that some people don't like to hear that he is supporting termination, but he explains that community folk understands and wants to see something built on that vacant parcel. Mr. King recalls that it was former Mayor Art Agnos who split the parcel in two, pointing out that the other half has been successfully developed with affordable housing.

Commissioner Foriest Settles seconds the motion and suggests the following conditions to the motion: (1) that the RFP process be on a fast track, acknowledging that a 45-day timeline has been proposed, suggested to staff that it does its best to move the RFP process in a most expeditious manner, (2) that as a matter of courtesy, Mr. Collins be contacted and invited to participate in the competitive process, and (3) that the RFP process must have extensive community input and not just one community meeting and to accommodate the community's work schedule to insure participation in the process.

Commissioner Singh requested that if housing is to be developed on the parcel, there be at least 40% of the total units be affordable to low-income people.

Mr. Morales responded to Commissioner Foriest Settles' comments regarding a fast track schedule, clarifying the inconsistency with extensive community input, but offered to expedite the issuance of the RFP by two weeks and stated that obtaining the community input is very important to the process. Mr. Morales also stated that Mr. Collins would be contacted and made aware of the RFP issuance.

President Yee asked the Agency Secretary to call the roll.

Agency Secretary Erwin Tanjuaquio reviewed the amendments for the main resolution and called the roll.

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MS. FORIEST SETTLES, THAT ITEM 4(h) RESOLUTION NO. 107-2001, AUTHORIZING THE TERMINATION OF THE AGREEMENT FOR DISPOSITION OF LAND FOR PRIVATE DEVELOPMENT WITH FILLMORE RENAISSANCE ASSOCIATES, L.P., A CALIFORNIA LIMITED PARTNERSHIP; IN CONNECTION WITH THE DEVELOPMENT OF PARCEL 732-A LOCATED ON THE NORTHEAST CORNER OF FILLMORE AND EDDY STREETS; WESTERN ADDITION APPROVED REDEVELOPMENT PROJECT AREA A-2, WITH THE FOLLOWING CONDITIONS: (1) THE RFP PROCESS WILL BE ON A FAST TRACK SCHEDULE, (2) AS A

MATTER OF COURTESY, MR. COLLINS WILL BE CONTACTED AND INVITED TO PARTICIPATE IN THE RFP PROCESS, AND (3) THERE WILL BE EXTENSIVE COMMUNITY INPUT, BE ADOPTED AND ON ROLL CALL, THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

AND THE FOLLOWING WERE ABSENT.

Mr. Romero

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 107-2001 AS AMENDED, IS ADOPTED.

PERSONS WISHING TO ADDRESS THE MEMBERS ON NON-AGENDA, BUT AGENCY RELATED MATTERS:

- (b) Mary Rogers, Charles Range, Nontsizi Cayou, Essie Collins, Agonafer Shiferaw

REPORT OF THE PRESIDENT

- President Yee suggested to place an item on the Agenda at next week's Commission meeting regarding amending the Agency's salary resolution to provide authority to the Commission to appoint all deputy executive directors and Agency General Counsel.

Commissioner Dunlop pointed out that this is an important matter and that not all Commissioners will be present at next week's meeting.

Commissioner Foriest Settles agreed with Commissioner Dunlop and suggested to calendar the item on July 3rd when everyone will be in attendance. President Yee acquiesced and requested a roll call vote.

MOTION: IT WAS MOVED BY MR. KING, SECONDED BY MS. FORIEST SETTLES, THAT AN ITEM BE PLACED ON THE JULY 3RD COMMISSION MEETING AGENDA, AS FOLLOWS: AMENDING THE SALARY RESOLUTION TO PROVIDE AUTHORITY TO THE COMMISSION TO APPOINT ALL DEPUTY EXECUTIVE DIRECTORS AND AGENCY GENERAL COUNSEL, IN ADDITION TO THE EXECUTIVE DIRECTOR AND AGENCY SECRETARY, AND ON ROLL CALL, THE FOLLOWING VOTED “AYE”:

Mr. Dunlop
Mr. King
Ms. Palamountain
Ms. Foriest Settles
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED “NAY”:

AND THE FOLLOWING WERE ABSENT.

Mr. Romero

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT THE MOTION CARRIED.

REPORT OF THE EXECUTIVE DIRECTOR

- Informational memorandum regarding clean-up of Parcel B in the Hunters Point Shipyard
- 1881 Bush Street project (Kokoro Assisted Living) bonds closed and construction to start soon.
- Submissions to RFP for the African-American Cultural Institute in Yerba Buena Center – Selection panel to interview all 11 respondents, per the Director’s direction

- (a) Status Report on developer submissions to the RFP for the Plaza Hotel site in the South of Market

Speakers: John Elberling, Chrystene Ells, Allan Manalo, Theo Gonzalves, Bill Sorro, Charles Range, Victor Marquez

COMMISSIONERS' QUESTIONS AND MATTERS

- President Yee requested a weekly progress report on the insurance matter related to the Asian Inc. project at 474 Natoma.
- Commissioner Singh asked who the head of TODCO is and requested a report on how many projects the Agency has with TODCO. Mr. Singh verified that the Agency only received one proposal for the Plaza Hotel RFP, from TODCO. Mr. Singh asked which newspapers did staff advertise for the African-American Cultural Institute RFP.
- Commissioner Foriest Settles referred to the list of RFP respondents (on the African-American Cultural Institute) and pointed out that some of the names are bolded and asked if there were any significance to that.
- Commissioner King referred to a confidential memorandum from the Director regarding the Arbitrator's decision with respect to the Executive Assistant positions and pointed out that the Commission's instructions were for the Executive Director to telephone James Bryant (of Local 790) personally, and now a communication has been sent to 790 asking them to contact Ora Williams.

Mr. Morales explained that the communication is from him, and that Mr. Bryant is on medical leave and thought that the best approach is to do it in writing and then follow-up with a phone call this week.

- Commissioner King inquired about the name plaques proposed on Fillmore Street and asked Ms. Shirley Wysinger why he wasn't notified of meetings regarding the selection of names to be included.

CLOSED SESSION

- (a) Pursuant to California Government Code §54956.9, Conference with Legal Counsel regarding existing litigation. Three existing cases:

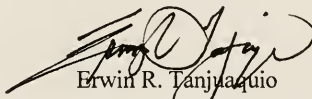
- (1) SFRA v. Norman Pearce, Pier 40 Roastery, Inc., Mark Evans and Terry Johns (SF Superior Ct.-Limited, Case No. 176632); and

- (2) Mark Evans v. Norman Pearce, Pier 40 Roastery, Inc., and SFRA (SF Superior Ct.-Unlimited, Case No. 310861)
- (3) SFRA v. Norman Pearce, Pier 40 Roastery, Inc., Mark Evans, Terry Johns, and Pier 40 Harbor Grill (SF Superior Ct.-Unlimited, Case No. 321215);

ADJOURNMENT

It was moved by Ms. Foriest Settles, seconded by Mr. King, and unanimously carried that the meeting be adjourned. The meeting adjourned at 8:53 p.m.

Respectfully submitted,


Erwin R. Tanjuaquio
Agency Secretary

APPROVED, AS AMENDED:

June 19, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
19TH DAY OF JUNE 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 19th day of June, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Benny Y. Yee, President
Leroy King, Vice President
Mark Dunlop
Kathryn C. Palamountain
Michal Foriest Settles
Darshan Singh

and the following was absent:

Ramon E. Romero

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The President declared that a quorum was present.

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James B. Morales, Executive Director, and staff members were also present.

MATTERS OF NEW BUSINESS – CONSENT AGENDA

4 (a) Approval of Minutes: Meeting of June 12, 2001

4 (b) Resolution No. 108-2001, Authorizing a First Amendment to the Owner Participation Agreement with GAIA Properties, LLC, a California limited liability company, to Approve a change in ownership, Revise the Schedule of Performance and to Comply with the current Equal Opportunity Program for the three story office building property located at 679 McAllister Street, Assessor's Block 785, Lot 39; Western Addition Redevelopment Project Area A-2

Commissioner Palamountain suggested revisions to her statements regarding Parcel 732-A, on page 10 of the June 12 minutes to provide clarity and accuracy about her statements.

ADOPTION: IT WAS MOVED BY MS. FORIEST SETTLES, SECONDED BY MR. DUNLOP, AND UNANIMOUSLY CARRIED (MR. ROMERO ABSENT) THAT CONSENT AGENDA ITEMS 4(a) APPROVAL OF MINUTES FOR THE MEETING JUNE 12, 2001, AS AMENDED, 4(b) RESOLUTION NO. 108-2001, AUTHORIZING A FIRST AMENDMENT TO THE OWNER PARTICIPATION AGREEMENT WITH GAIA PROPERTIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, TO APPROVE A CHANGE IN OWNERSHIP, REVISE THE SCHEDULE OF PERFORMANCE AND TO COMPLY WITH THE CURRENT EQUAL OPPORTUNITY PROGRAM FOR THE THREE STORY OFFICE BUILDING PROPERTY LOCATED AT 679 MCALLISTER STREET, ASSESSOR'S BLOCK 785, LOT 39; WESTERN ADDITION REDEVELOPMENT PROJECT AREA A-2, BE ADOPTED.

REGULAR AGENDA

4 (c) Workshop on the Housing Opportunity for Persons with AIDS program

Presenters: Chris Harris (Agency staff), Mike Shriver (Mayor's Office)

Ms. Chris Harris (of the Housing staff) introduced Mr. Mike Shriver, an Advisor to Mayor Willie L. Brown, Jr. on HIV/AIDS policy in San Francisco.

Mr. Shriver presented statistical data on the HIV/AIDS epidemic in San Francisco as well as City policies and the HOPWA program administered by the Redevelopment Agency.

Ms. Chris Harris presented an overview of the HOPWA Program.

Commissioner Dunlop thanked Ms. Harris for an excellent presentation and staff for their hard work in administering the HOPWA grants and acknowledged the difficulty of prioritizing the limited funding sources to the vast needs of people afflicted with AIDS. Mr. Dunlop referred to funding programs such as 811 and 202 and asked if staff has looked at participating in such programs. Mr. Dunlop asked if the Agency is not limited with enough staff resources to work on the HOPWA Program in addition to the overall housing program of the Agency. Mr. Dunlop inquired about Section 8 vouchers and any other funding sources such as using tax increment financing for HOPWA programs and the possibility of trading funding sources. Mr. Dunlop suggested to staff to look at creative ways of identifying other funding sources for the HOPWA program and requested such information to be provided to the Commission.

President Yee asked how much HOPWA funds have been pledged to projects, but not yet committed and if HOWA funds allocated to Marin and San Mateo counties are not spent, can those unspent funds be used by San Francisco.

Commissioner Foriest Settles requested copies of the HOPWA slide presentation. Ms. Foriest Settles referred to the Commission memorandum identifying July 1, 2000 as the date of the statistical data and asked when will the new data come out and when it becomes available requested that it is provided to the Commission. Ms. Foriest Settles asked about the impact of HIV/AIDS on children, pointing out that the statistics presented do not mention incidences with children and remarked that there should be programs and support for children as well as provisions for families with children afflicted with HIV/AIDS. Ms. Foriest Settles thanked staff for their hard work and comprehensive presentation.

Commissioner Dunlop pointed out that there is an upcoming housing project that contains 42 family units. Mr. Dunlop inquired about the nationwide funding distribution and cited New York City as an example and suggested that staff work with Congress to obtain more HOPWA funding for San Francisco.

Items 4(d) - (h) are related to the Agency's Annual HOPWA Funding of Licensed Residential Care Facilities for the Chronically Ill.

Ms. Elizabeth Colomello (of the Housing staff) provided an overview of the Agency's Annual HOPWA Funding of Licensed Residential Care Facilities for the Chronically Ill and presented each of the separate items for five (5) HOPWA Supportive Services Agreements.

- 4 (d)** Resolution No. 109-2001, Authorizing a Housing Opportunities for Persons with AIDS Supportive Services Agreement in an amount not to exceed \$1,450,020, from July 1, 2001 through June 30, 2002, with Catholic Charities of the Archdiocese of San Francisco for the Leland House at 141 Leland Avenue to provide housing and 24-hour care and supervision to people living with HIV/AIDS

Presenters: Elizabeth Colomello (Agency staff)

Commissioner Dunlop gave high praise for the hard work that Catholic Charities is doing for people with AIDS and stated that they have an unenviable task, considering the funding constraints but still manage to do an excellent job and that without their services the critical needs in San Francisco would be much more serious. Mr. Dunlop stated that he wanted to note his appreciation for their hard work.

ADOPTION: IT WAS MOVED BY MR. KING, SECONDED BY MR. SINGH, AND UNANIMOUSLY CARRIED (MR. ROMERO ABSENT), THAT ITEM 4(d) RESOLUTION NO. 109-2001, AUTHORIZING A HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS SUPPORTIVE SERVICES AGREEMENT IN AN AMOUNT NOT TO EXCEED \$1,450,020, FROM JULY 1, 2001 THROUGH JUNE 30, 2002, WITH CATHOLIC CHARITIES OF THE ARCHDIOCESE OF SAN FRANCISCO FOR THE LELAND HOUSE AT 141 LELAND AVENUE TO PROVIDE HOUSING AND 24-HOUR CARE AND SUPERVISION TO PEOPLE LIVING WITH HIV/AIDS, BE ADOPTED.

- 4 (e) Resolution No. 110-2001, Authorizing a Housing Opportunities for Persons with AIDS Supportive Services Agreement in an amount not to exceed \$710,252, from July 1, 2001 through June 30, 2002, with Catholic Charities of the Archdiocese of San Francisco for the Peter Claver community facility located at 1340 Golden Gate Avenue to provide housing and 24-hour care and supervision to people living with HIV/AIDS

Presenters: Elizabeth Colomello (Agency staff)

ADOPTION: IT WAS MOVED BY MS. FORIEST SETTLES, SECONDED BY MR. KING, AND UNANIMOUSLY CARRIED (MR. ROMERO ABSENT), THAT ITEM 4(e) RESOLUTION NO. 110-2001, AUTHORIZING A HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS SUPPORTIVE SERVICES AGREEMENT IN AN AMOUNT NOT TO EXCEED \$710,252, FROM JULY 1, 2001 THROUGH JUNE 30, 2002, WITH CATHOLIC CHARITIES OF THE ARCHDIOCESE OF SAN FRANCISCO FOR THE PETER CLAVER COMMUNITY FACILITY LOCATED AT 1340 GOLDEN GATE AVENUE TO PROVIDE HOUSING AND 24-HOUR CARE AND SUPERVISION TO PEOPLE LIVING WITH HIV/AIDS, BE ADOPTED.

- 4 (f) Resolution No. 111-2001, Authorizing a Housing Opportunities for Persons with AIDS Supportive Services Agreement in an amount not to exceed \$348,144 from July 1, 2001 through June 30, 2002, with Larkin Street Youth Center for its Assisted Care Facility at 129 Hyde Street to provide housing and 24-hour care and supervision to youth living with HIV/AIDS

Presenters: Elizabeth Colomello (Agency staff)

Commissioner Dunlop shared with the Commission that he had the honor of touring this facility two years ago at its opening and stated that it's really quite special and something to be proud of sponsoring and supporting and wished that there would be more of these facilities. Mr. Dunlop asked if there was a waiting list at the Larkin Youth Center.

Commissioner Palamountain thanked staff for an excellent presentation and each and every one of the providers who are appearing before the Commission for their dedication to this client base. Ms. Palamountain asked if there was collaboration between our dependency system and the Larkin Youth Center with respect to foster care children who aged beyond the foster care system and have a higher incidence of homelessness.

Ms. Colomello responded and stated that Larkin Youth Center definitely works with the foster care system and asked Ms. Denise Albano, Executive Director of the Larkin Youth Center to provide additional details.

Ms. Albano stated that they do not have a formal collaboration with the foster care system but instead relies on a referral system for children exiting the foster care system and are placed in a program called Lark Inn which services youth between the ages of 18 and 24.

Commissioner Palamountain applauded Ms. Albano's collaboration with the CALPED program and shared her admiration for their hard work. Ms. Palamountain asked Ms. Albano to talk about their efforts on transitioning their clientele into independent living situations.

Ms. Albano stated that the assisted living facility at the Larkin Youth Center is complemented by an after-care program, which provides scattered site housing resources for their clients. Ms. Albano pointed out that where there is a gap in services is when people age beyond 24 years old and they are in need of independent housing but are ineligible for the after care scattered site housing program, but that the Larkin Street Youth Center also collaborates with the Residential Care Facilities for the Chronically Ill where independent housing is available. Ms. Albano stated that in these situations they have gained successes in serving this population.

ADOPTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MS. FORIEST SETTLES, AND UNANIMOUSLY CARRIED (MR. ROMERO ABSENT) THAT ITEM 4(f) RESOLUTION NO. 111-2001, AUTHORIZING A HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS SUPPORTIVE SERVICES AGREEMENT IN AN AMOUNT NOT TO EXCEED \$348,144 FROM JULY 1, 2001 THROUGH JUNE 30, 2002, WITH LARKIN STREET YOUTH CENTER FOR ITS ASSISTED CARE FACILITY AT 129 HYDE STREET TO PROVIDE HOUSING AND 24-HOUR CARE AND SUPERVISION TO YOUTH LIVING WITH HIV/AIDS, BE ADOPTED.

- 4 (g) Resolution No. 112-2001, Authorizing a Housing Opportunities for Persons with AIDS Supportive Services Agreement in an amount not to exceed \$492,167, from July 1, 2001 through June 30, 2002, with Maitri for its Residential Care Facility located at 401 Duboce Street to provide housing and 24-hour care and supervision to people living with HIV/AIDS

Presenters: Elizabeth Colomello (Agency staff)

Commissioner Dunlop informed the Commission that he had also toured the Maitri facility and that the services provided are incredible in the difficult work performed with late stage AIDS cases. Mr. Dunlop stated that he knows people who have gone through the Maitri program and highly recommends the program.

ADOPTION: IT WAS MOVED BY MR. KING, SECONDED BY MS. PALAMOUNTAIN, AND UNANIMOUSLY CARRIED (MR. ROMERO ABSENT), THAT ITEM 4(g) RESOLUTION NO. 112-2001, AUTHORIZING A HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS SUPPORTIVE SERVICES AGREEMENT IN AN AMOUNT NOT TO EXCEED \$492,167, FROM JULY 1, 2001 THROUGH JUNE 30, 2002, WITH MAITRI FOR ITS RESIDENTIAL CARE FACILITY LOCATED AT 401 DUBOCE STREET TO PROVIDE HOUSING AND 24-HOUR CARE AND SUPERVISION TO PEOPLE LIVING WITH HIV/AIDS, BE ADOPTED.

- 4 (h) Resolution No. 113-2001, Authorizing a Housing Opportunities for Persons with AIDS Supportive Services Agreement in an amount not to exceed \$479,350 from July 1, 2001 through June 30, 2002 with Dolores Street Community Services for the Richard M. Cohen Residence, a Residential Care Facility located at 220 Dolores Street, to provide housing and 24-hour care and supervision to people living with HIV/AIDS

Presenters: Elizabeth Colomello (Agency staff)

ADOPTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MR. KING, AND UNANIMOUSLY CARRIED (MR. ROMERO ABSENT) THAT ITEM 4(h) RESOLUTION NO. 113-2001, AUTHORIZING A HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS SUPPORTIVE SERVICES AGREEMENT IN AN AMOUNT NOT TO EXCEED \$479,350 FROM JULY 1, 2001 THROUGH JUNE 30, 2002 WITH DOLORES STREET COMMUNITY SERVICES FOR THE RICHARD M. COHEN RESIDENCE, A RESIDENTIAL CARE FACILITY LOCATED AT 220 DOLORES STREET, TO PROVIDE HOUSING AND 24-HOUR CARE AND SUPERVISION TO PEOPLE LIVING WITH HIV/AIDS, BE ADOPTED.

- 4 (i) Resolution No. 114-2001, Conditionally Approving the Basic Concept Design for the J. David Gladstone Institutes on Parcel 2 of Blocks 41-43 in Mission Bay South pursuant to an Owner Participation Agreement with Catellus Development Corporation; Mission Bay South Redevelopment Project Area

Presenters: Tiffany Bohee (Agency staff), Richard Heeley (Gladstone), Karen _____ (Design Team)

Commissioner Palamountain stated that she was glad to see the laboratories are on the sixth floor of the building so that they are protected from flooding, citing a bio-tech facility in Houston where the laboratories in the basement and lower floors were wiped out in a flood. Ms. Palamountain shared her concern about the loading dock area being screened from the plaza and commented that the masonry elements on the south side of the building do not provide a great view from the plaza across the street.

Commissioner Foriest Settles referred to the CAC comments about the project in particular, the proposed open plaza and asked if there were any discussion relating to the accessibility of the plaza to the public.

Ms. Bohee stated that the plaza is part of the proposed development and is privately owned by Gladstone but will be open to the general public during daylight hours and into the early evening.

Commissioner Foriest Settles requested that when the matter is brought back to the Commission, that there be more discussion on the plaza/open space accessibility, acknowledging the security issues and stating that she just wants to have a full understanding of the plaza component of the development. Ms. Foriest Settles commented that the plaza is a wonderful idea and thanked staff and the developer for an excellent presentation.

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MR. DUNLOP, AND UNANIMOUSLY CARRIED (MR. ROMERO ABSENT) THAT ITEM 4(i) RESOLUTION NO. 114-2001, CONDITIONALLY APPROVING THE BASIC CONCEPT DESIGN FOR THE J. DAVID GLADSTONE INSTITUTES ON PARCEL 2 OF BLOCKS 41-43 IN MISSION BAY SOUTH PURSUANT TO AN OWNER PARTICIPATION AGREEMENT WITH CATELLUS DEVELOPMENT CORPORATION; MISSION BAY SOUTH REDEVELOPMENT PROJECT AREA, BE ADOPTED.

- 4 (j) Resolution No. 115-2001, Authorizing a Third Amendment to the Housing Plan for the Rincon Center Apartments, 88 Howard Street, with BRE/Rincon, LLC as Successor in Interest to Rincon Center Associates, a California limited partnership; Rincon Point - South Beach Redevelopment Project Area

Presenters: James B. Morales (Agency staff), Andrew Batinovich (BRE/Rincon)

Speakers: Damone Hale, Richard Beckman, David Cincotta

Commissioner Singh asked if there are any tenants who agree with the owners and asked for the names of tenants who agree. Mr. Singh asked how many meetings were held with the tenants and asked the difference in the program between Rincon Center and Golden Gateway housing. Mr. Singh asked if the tenants were promised a purchase option for the units. Mr. Singh asked if there would be significant harm if the matter is tabled. Mr. Singh stated that we would like to talk with more tenants and shared that he has heard from a tenant in Golden Gateway who says that their rents have not changed.

Commissioner Palamountain stated that it is a given that the owners are here to make money and that they are a business, but pointed out that the policy question before the Commission is the preservation of the low and moderate income units in Rincon Center. Ms. Palamountain referred to her review of the agreement and pointed out that if there are units allocated to the so-called "affordable" units for people at or above \$84,000 a year (for single persons), there would be a corresponding low and/or moderate income unit that is not made available to truly low and moderate income people in San Francisco. Ms. Palamountain put forth a motion to adopt item 4(j).

Commissioner Foriest Settles informed the Commission that she received a communication from Dave Osgood of the Rincon Center tenants and asked that the communication be recorded. Ms. Foriest Settles seconded the motion and commended staff for its excellent work in doing their best to preserve as many low and moderate income tenants in Rincon Center.

Commissioner King stated that we was puzzled by all of the discussion and asked if Rincon Center is under rent control. Mr. King shared his concern that the tenants especially those who have come before the Commission in the past are not here to testify and shared his uncertainty about supporting the Housing Plan.

Commissioner Dunlop commented that he has mixed feelings about this matter and asked if it is such a bad agreement, why aren't there more tenants present and saying that. Mr. Dunlop shared his concerns about protecting people making over \$80,000 a year, but stated his support for the item and acknowledged the remarkable job by staff in coming up with the agreement.

Commissioner Singh asked a series of questions regarding the income limits for each of the unit-type and bedroom size in Rincon Center.

President Yee asked why the tenant group is not present and asked if it had to do with the time of the Commission meeting.

Commissioner Foriest Settles read the communication from Dave Osgood, which in part states that they would not be in attendance at the Commission meeting, and is not taking a position on the proposed amendment to the Housing Plan.

Commissioner King suggested to postpone the item for one week and attempt to contact the tenants so that they could attend the meeting.

Commissioner Palamountain withdrew her motion to adopt the item.

MOTION: IT WAS MOVED BY MR. SINGH, SECONDED BY MR. KING, AND UNANIMOUSLY CARRIED (MR. ROMERO ABSENT) THAT ITEM 4(j) RESOLUTION NO. 115-2001, AUTHORIZING A THIRD AMENDMENT TO THE HOUSING PLAN FOR THE RINCON CENTER APARTMENTS, 88 HOWARD STREET, WITH BRE/RINCON, LLC AS SUCCESSOR IN INTEREST TO RINCON CENTER ASSOCIATES, A CALIFORNIA LIMITED PARTNERSHIP; RINCON POINT - SOUTH BEACH REDEVELOPMENT PROJECT AREA, BE CONTINUED TO THE COMMISSION MEETING OF JUNE 26, 2001.

PERSONS WISHING TO ADDRESS THE MEMBERS ON NON-AGENDA, BUT AGENCY RELATED MATTERS:

- Rebecca Morrow

REPORT OF THE PRESIDENT

- President Yee requested weekly progress reports on the 474 Natoma project.

REPORT OF THE EXECUTIVE DIRECTOR

- (a) Issuance of RFQ for a Strategic Facilities Management Consultant, Yerba Buena Center
- Informed the Commission that an outline for the re-offering of Parcel 732-A has been provided to the Commission and advised that Supervisor Gonzalez has proposed conducting a public hearing on the matter and staff will coordinate with the Supervisor's office.
- Provided an update on the 474 Natoma project, reporting that the insurance issue is resolved and staff will be working on a Land Disposition Agreement with Asian Inc.

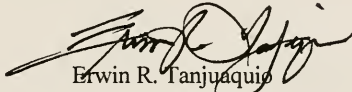
COMMISSIONERS' QUESTIONS AND MATTERS

- Commissioner King stated that the Commission needs more time to read and review the RFQ for the YBC Strategic Facilities Management contract. Mr. King asked if Supervisor Gonzalez's hearing on 732-A is to determine uses on the parcel.
- Commissioner Foriest Settles reported that she was contacted about the South Beach plaza but cannot recall the name of the gentleman who called and will provide the name to the Agency Secretary for disclosure purposes.
- President Yee asked if staff should proceed with the re-offering process for 732-A or await the hearing by Supervisor Gonzalez.

ADJOURNMENT

It was moved by Ms. Foriest Settles, seconded by Mr. King, and unanimously carried that the meeting be adjourned. The meeting adjourned at 7:10 p.m.

Respectfully submitted,


Erwin R. Tanjuaquio
Agency Secretary

APPROVED:

June 26, 2001

MINUTES OF A REGULAR MEETING OF THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO HELD ON THE
26TH DAY OF JUNE 2001

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 26th day of June, 2001, the place and date duly established for holding of such a meeting.

The President called the meeting to order and on roll call the following answered present:

Benny Y. Yee, President
Leroy King, Vice President (arrives @ 4:10 p.m. & departs @ 6:15 p.m.)
Mark Dunlop (departs @ 8:55 p.m.)
Kathryn C. Palamountain
Ramon E. Romero
Michal Foriest Settles (arrives @ 5:00 p.m.)
Darshan Singh (departs @ 6:00 p.m.)

DOCUMENTS DEPT

and the following was absent:

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The President declared that a quorum was present.

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James B. Morales, Executive Director, and staff members were also present.

MATTERS OF UNFINISHED BUSINESS

- 3 (a)** Resolution No. 115-2001, Authorizing a Third Amendment to the Housing Plan for the Rincon Center Apartments, 88 Howard Street, with BRE/Rincon, LLC as Successor in Interest to Rincon Center Associates, a California limited partnership; Rincon Point - South Beach Redevelopment Project Area

Presenters: James B. Morales (Agency staff)

Speakers: Adam Kayson, Nicole Morly, Richard Beckman, Nancy Ellen, Maureen Bitter, George Griparis, Richard Snyder, William Orrick

Commissioner Palamountain referred to a comment from the public stating what would prevent the Housing Plan from being amended again and she read from portions of a letter from the Rincon Center tenants which explains their complaints about the Housing Plan. Ms. Palamountain pointed out that the

obligations of the new owners have changed under the Owner Participation Agreement in that the below market-rate unit obligation is decreased from 160 to 72 units resulting from the retirement of the bonds that were issued at the beginning of the development. When asked, Mr. Morales concurred with Ms. Palamountain's explanation. Ms. Palamountain stated that she does not support changing the policy of establishing the below market-rate program and that low- and moderate-income tenants should be protected to the greatest extent possible. Ms. Palamountain remarked that she understands first hand the housing pinch for middle-income people and that low, moderate and affordable units should receive the highest priority in the Agency's housing program. Ms. Palamountain moves the item for adoption.

Commissioner Dunlop commented that the issue surrounding the Housing Plan is problematic and stated that he also knows about the housing crunch in the City. Mr. Dunlop acknowledged staff's excellent work in the equal treatment of both really needy folks on the verge of homelessness and people making over \$80,000 a year and probably getting more complaints from that group, and remarked that he was not particularly sympathetic. Mr. Dunlop stated that the Housing Plan provides the best solution in retaining the below-market-rate units in Rincon Center and that so much time and effort has been spent for Rincon Center instead of more deserving people of truly low- and moderate-incomes. Mr. Dunlop asked if the Agency is paying the difference in the market rents. Mr. Dunlop commented that he would be supporting the Housing Plan with reservation and stated that the Rincon Center tenants should feel very lucky that they have this Housing Plan because there are countless people in the City who are at the verge of homelessness and do not have such representation.

Commissioner King stated his support for the resolution and acknowledged the good work of staff. Mr. King explained that the tenants should understand that the obligations of the new owners are different that the original owners since the bonds were retired. Mr. King stated his appreciation of the tenants coming to the meeting and testifying as well as the owners who took the time to sit down with the tenants and the Agency to negotiated the Housing Plan.

Commissioner Singh asked for clarification with regard to the percentage of rent increases and asked for the time span of the rent increases. Mr. Singh asked if the Rent Control Board permitted increases of 20 and 30%

Commissioner Romero stated that he would vote for the resolution. Mr. Romero remarked that he was sympathetic to the tenants (acknowledging Dave Osgood's attendance at numerous meetings), all of the tenants regardless of income. Mr. Romero pointed out that housing matters that come before the

Commission are usually with people who has lower incomes that tenants of Rincon Center, but that he understood the tenants concern about their expectations when they first moved in and that they feel unfairly treated. Mr. Romero explained that as a lawyer who has done a fair amount of litigation, he felt that the tenants only had a slim chance of success in their challenge against the owners and that the best thing that can be done for the tenants is to adopt the Housing Plan. Mr. Romero stated his amazement at staff's ability to negotiate such a Housing Plan given the leverage we had and stated that he would support the adoption of the Housing Plan.

President Yee informed the public that public comment is closed and the Commission is now in deliberation. (A member of the public wanted to provide testimony following closure of the public comment period.

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MR. DUNLOP, THAT ITEM 3(a) RESOLUTION NO. 115-2001, AUTHORIZING A THIRD AMENDMENT TO THE HOUSING PLAN FOR THE RINCON CENTER APARTMENTS, 88 HOWARD STREET, WITH BRE/RINCON, LLC AS SUCCESSOR IN INTEREST TO RINCON CENTER ASSOCIATES, A CALIFORNIA LIMITED PARTNERSHIP; RINCON POINT - SOUTH BEACH REDEVELOPMENT PROJECT AREA, BE ADOPTED AND ON ROLL CALL THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Mr. King
Ms. Palamountain
Mr. Romero
Mr. Singh
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

AND THE FOLLOWING WERE ABSENT.

Ms. Foriest Settles

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, SIX (6) AYES AND ONE (1) ABSENT.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 115-2001 IS ADOPTED.

MATTERS OF NEW BUSINESS – CONSENT AGENDA

- 4 (a) Approval of Minutes: Meeting of June 19, 2001
- 4 (b) Resolution No. 116-2001, Authorizing the Execution of a First Amendment to the Personal Services Contract with KPMG LLP (KPMG) and Williams, Adley & Company LLP (WA), a Joint Venture, to Provide Accounting Services for the Implementation of GASB 34 and to Increase the Contract Amount by \$70,000 from \$205,500 to \$275,500
- 4 (c) Resolution No. 117-2001, Authorizing a Contract with JD Edwards & Company, a Delaware corporation, for upgrade of the Oneworld Accounting Software at a cost not to exceed \$230,000

ADOPTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MR. KING, AND UNANIMOUSLY CARRIED (MR. ROMERO ABSTAINING AND MS. FORIEST SETTLES ABSENT) THAT CONSENT AGENDA ITEMS 4(a) APPROVAL OF MINUTES FOR THE MEETING JUNE 19, 2001, 4(b) RESOLUTION NO. 116-2001, AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO THE PERSONAL SERVICES CONTRACT WITH KPMG LLP (KPMG) AND WILLIAMS, ADLEY & COMPANY LLP (WA), A JOINT VENTURE, TO PROVIDE ACCOUNTING SERVICES FOR THE IMPLEMENTATION OF GASB 34 AND TO INCREASE THE CONTRACT AMOUNT BY \$70,000 FROM \$205,500 TO \$275,500, AND 4(c) RESOLUTION NO. 117-2001, AUTHORIZING A CONTRACT WITH JD EDWARDS & COMPANY, A DELAWARE CORPORATION, FOR UPGRADE OF THE ONEWORLD ACCOUNTING SOFTWARE AT A COST NOT TO EXCEED \$230,000, BE ADOPTED.

REGULAR AGENDA

Items 4 (d) and (g) are related matters and were presented in seriatim.

- 4 (d) Resolution No. 118-2001, Authorizing a Housing Opportunities for Persons With AIDS (HOPWA) Supportive Services Agreement with Catholic Charities of the Archdiocese of San Francisco, a California nonprofit corporation, for the HOPWA Partial Rent Subsidy Program for July 1, 2001 to June 30, 2004, in an amount not to exceed \$1,918,573

Presenters: Pam Sims (Agency staff)

Speakers: Mary Helen Rogers

- 4 (g) Resolution No. 121-2001, Authorizing a Housing Opportunities for Persons With AIDS (HOPWA) Personal Services Contract in an amount not to exceed \$50,000 with the Public Health Institute for evaluation of the HOPWA Special Projects of National Significance Funded Second Start Program from July 1, 2001 through June 30, 2004

Presenters: Elizabeth Colomello (Agency staff)

Commissioner Dunlop thanked staff for its presentation and explained that the SPNS grant is a national recognition of staff's excellent work on the HOPWA program and stated that staff's work makes the Commission very proud. Mr. Dunlop also thanked Catholic Charities for its hard work and personally recognized Catholic Charities' Director, Howard Rogers who is leaving. Mr. Dunlop referring to item 4 (g), a Personal Services Contract with the Public Health Institute, stated that this is a wonderful opportunity for the HOPWA program and shared that he recently attended the Fourth National AIDS Housing Conference where in one of the discussion panels, he learned of a cohort program and a study that was done in New York where people living with AIDS were monitored after they get through the care and treatment system. Mr. Dunlop explained that this program (in New York) kept track of individuals who have gone through their program and established a database of where these individuals lived, where they sought further treatment, etc. Mr. Dunlop remarked that there is not anything like that in San Francisco, pointing out that HOPWA money is not enough, and urged staff to look into innovative ways to aggressively address the AIDS epidemic.

Commissioner Palamountain expressed her approval of these programs and stated that Commissioner Dunlop did an excellent job in explaining the worth and significance of these projects. Ms. Palamountain stated her support for the use of HOPWA funds in San Francisco and was glad to see evaluation reports on how successful these programs are and requested staff to continue providing the Commission with such information.

[At this time, 5:00 p.m., Commissioner Foriest Settles arrives]

ADOPTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MR. SINGH, AND UNANIMOUSLY CARRIED (MS. FORIEST SETTLES ABSTAINING), THAT ITEM 4(d) RESOLUTION NO. 118-2001, AUTHORIZING A HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) SUPPORTIVE SERVICES AGREEMENT WITH CATHOLIC CHARITIES OF THE ARCHDIOCESE OF SAN FRANCISCO, A CALIFORNIA NONPROFIT CORPORATION, FOR THE HOPWA PARTIAL RENT SUBSIDY PROGRAM FOR JULY 1, 2001 TO JUNE 30, 2004, IN AN AMOUNT NOT TO EXCEED \$1,918,573, BE ADOPTED.

ADOPTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MR. SINGH, AND UNANIMOUSLY CARRIED (MS. FORIEST SETTLES ABSTAINING), THAT ITEM 4(g) RESOLUTION NO. 121-2001, AUTHORIZING A HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PERSONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$50,000 WITH THE PUBLIC HEALTH INSTITUTE FOR EVALUATION OF THE HOPWA SPECIAL PROJECTS OF NATIONAL SIGNIFICANCE FUNDED SECOND START PROGRAM FROM JULY 1, 2001 THROUGH JUNE 30, 2004, BE ADOPTED

- 4 (e) Resolution No. 119-2001, Authorizing a Housing Opportunities for Persons With AIDS Supportive Services Agreement in an amount not to exceed \$312,167 for July 1, 2001 to June 30, 2002, with Catholic Charities of the Archdiocese of San Francisco, a California nonprofit corporation, for the HIV Housing Assistance Program

Presenters: Pam Sims (Agency staff)

ADOPTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MR. SINGH, AND UNANIMOUSLY CARRIED, THAT ITEM 4(e) RESOLUTION NO. 119-2001, AUTHORIZING A HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS SUPPORTIVE SERVICES AGREEMENT IN AN AMOUNT NOT TO EXCEED \$312,167 FOR JULY 1, 2001 TO JUNE 30, 2002, WITH CATHOLIC CHARITIES OF THE ARCHDIOCESE OF SAN FRANCISCO, A CALIFORNIA NONPROFIT CORPORATION, FOR THE HIV HOUSING ASSISTANCE PROGRAM, BE ADOPTED.

- 4 (f) Resolution No. 120-2001, Authorizing a Housing Opportunities for Persons With AIDS ("HOPWA") Rental Subsidy Agreement with the San Francisco Housing Authority for the HOPWA Rental Assistance Program in an amount not to exceed \$3,003,449 for July 1, 2001 to June 30, 2002

Presenters: Pam Sims (Agency staff)

Speakers: Dana Van Gorder

Commissioner Dunlop spoke in favor of the item and remarked that the need is great. Mr. Dunlop referred to Dan Van Gorder's (SF AIDS Foundation) request for a \$200,000 funding and acknowledged that the funding request is not on the Commission Agenda, nevertheless the Agency should look into funding the San Francisco AIDS Foundation. Mr. Dunlop commented that whenever there is a funding lapse for people with AIDS, there is always the danger of putting people with AIDS out on the street, which could lead to a death sentence. Mr. Dunlop asked staff to look into any means possible of finding the money to fund the foundation to continue the critical work needed for people afflicted with AIDS. Mr. Dunlop recalled some statistics about people with AIDS pointing out that 72% of those infected are white male and the largest growing number of AIDS cases in the City are young African-American males and that the trend nationwide is one where AIDS is becoming a disease of poverty, a disease that creates poverty, a disease that without some help, some cohesive form of assistance such that is provided by the San Francisco AIDS Foundation, people will not only be on the streets, but will not be able to take the medications, become very sick and frequent visitors of the emergency health system. Mr. Dunlop again asked staff to assist the foundation to find the funding necessary to continue their work. Mr. Dunlop acknowledged that the Agency has a rule about targeted classes in the use of tax increment funds, but cited the Kokoro support service facility for Japanese-American as a targeted group as one example of using tax increment funds. Mr. Dunlop stated that serving people with AIDS reflect the diversity of San Francisco's population and that recent studies state that people who have used AIDS services are people of color. Mr. Dunlop stated that he believed that these type of services are in keeping with State laws regarding the use of tax increment funds. Mr. Dunlop officially asked staff to look into the funding request from the San Francisco AIDS Foundation and provide a report back to the Commission.

Commissioner Singh verified that the program will help 300 households.

ADOPTION: IT WAS MOVED BY MR. DUNLOP, SECONDED BY MS. FORIEST SETTLES, AND UNANIMOUSLY CARRIED, THAT ITEM 4(f) RESOLUTION NO. 120-2001, AUTHORIZING A HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (“HOPWA”) RENTAL SUBSIDY AGREEMENT WITH THE SAN FRANCISCO HOUSING AUTHORITY FOR THE HOPWA RENTAL ASSISTANCE PROGRAM IN AN AMOUNT NOT TO EXCEED \$3,003,449 FOR JULY 1, 2001 TO JUNE 30, 2002, BE ADOPTED.

- 4 (h)** Resolution No. 122-2001, Authorizing a Housing Opportunities for Persons With AIDS Fiscal Agent Agreement in an amount not to exceed \$694,800 with the County of Marin from July 1, 2001 to June 30, 2002

Presenters: Chris Harris (Agency staff)

Ms. Harris introduced Julie Chin and Warren Nogle of the Agency’s Finance and Housing staff and recognized their hard work on the HOPWA program.

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MR. ROMERO, AND UNANIMOUSLY CARRIED, THAT ITEM 4(h) RESOLUTION NO. 122-2001, AUTHORIZING A HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS FISCAL AGENT AGREEMENT IN AN AMOUNT NOT TO EXCEED \$694,800 WITH THE COUNTY OF MARIN FROM JULY 1, 2001 TO JUNE 30, 2002, BE ADOPTED.

- 4 (i)** Resolution No. 123-2001, Authorizing a Housing Opportunities for Persons With AIDS Fiscal Agent Agreement in an amount not to exceed \$731,100 with the County of San Mateo from July 1, 2001 to June 30, 2002

Presenters: Chris Harris (Agency staff)

Commissioner Dunlop asked for clarification if the Agency have had to return unspent HOPWA funds to the federal government. Mr. Dunlop recognized John Conley from San Mateo and mentioned that Mr. Conley and he both serve at the Ryan White Care Council and commended Mr. Conley’s hard work.

ADOPTION: IT WAS MOVED BY MR. KING, SECONDED BY MR. SINGH, AND UNANIMOUSLY CARRIED, THAT ITEM 4(i) RESOLUTION NO. 123-2001, AUTHORIZING A HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS FISCAL AGENT AGREEMENT IN AN AMOUNT NOT TO EXCEED \$731,100 WITH THE COUNTY OF SAN MATEO FROM JULY 1, 2001 TO JUNE 30, 2002, BE ADOPTED.

- 4 (j) Resolution No. 124-2001, Authorizing a Personal Services Contract in an amount not to exceed \$300,000 and an additional \$7,420 in moving expenses with the San Francisco Housing Development Corporation, a California nonprofit public benefit corporation, for Housing Counseling and Development Services in all Redevelopment Project and Survey Areas from July 1, 2001 to June 30, 2002

Presenters: Matthew Schwartz (Agency staff), Regina Davis (SFHDC)

Speakers: Victor Marquez, Mel Carrier

Commissioner King makes the motion to adopt the item and recalls that efforts were started 30 years ago to provide such services to the Bayview community and that it is about time that new affordable housing is being developed in the Bayview. Mr. King applauded the good work of the San Francisco Housing Development Corporation.

Commissioner Dunlop stated his support for the item but pointed out that the staff memorandum cited inadequacies in SFHDC's work and commented that the staff report does not indicate a resounding support, stating that SFHDC has performed adequately. Mr. Dunlop urged that counseling for certificate holders be continued in an aggressive and forthright manner to ensure that everyone in the community is well informed of affordable housing opportunities.

President Yee asked why SFHDC's moving expenses are being reimbursed by MOCD and asked why SFHDC does not have the budget for such expenses.

ADOPTION: IT WAS MOVED BY MR. KING, SECONDED BY MR. SINGH, AND UNANIMOUSLY CARRIED, THAT ITEM 4(j) RESOLUTION NO. 124-2001, AUTHORIZING A PERSONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$300,000 AND AN ADDITIONAL \$7,420 IN MOVING EXPENSES WITH THE SAN FRANCISCO HOUSING DEVELOPMENT CORPORATION, A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION, FOR HOUSING COUNSELING AND DEVELOPMENT SERVICES IN ALL REDEVELOPMENT PROJECT AND SURVEY AREAS FROM JULY 1, 2001 TO JUNE 30, 2002, BE ADOPTED.

- 4 (k) Resolution No. 125-2001, Approving a Fiscal Year 2001-2002 Budget for the South of Market Project Area Committee in an amount not to exceed \$169,770 and Authorizing a Third Amendment to the Personal Services Contract with the San Francisco Community Clinic Consortium, a California non-profit public benefit corporation, to increase the maximum amount payable from \$353,638 to \$504,183; South of Market Earthquake Recovery Redevelopment Project Area

Presenters: William Carney (Agency staff)

Commissioner Singh asked how many people staff the South of Market Project Area Committee and how often the PAC met. Mr. Singh also asked how many members there are in the PAC and requested that minutes of PAC meetings be provided to him.

Commissioner Palamountain recalled that when she first started at the Agency Commission, Commissioner King advised her to get involved in the community and following Mr. King's excellent advise, she recently attended a South of Market PAC meeting and was very impressed at how the meeting was conducted and the level of questions raised were excellent. Ms. Palamountain stated that there were great efforts to inform not only the PAC members but also the broader community, and remarked that she is pleased to move adoption of Resolution No. 125-2001.

President Yee asked if the PAC met once every two weeks and if there were minutes prepared.

Commissioner Romero reminded the Commission that a "community events" calendar is provided to the Commission that lists all of the PAC meetings and other events so that Commissioners can attend.

[At this time, 6:00 p.m. Commissioner Singh departs]

ADOPTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MR. ROMERO, AND UNANIMOUSLY CARRIED (MR. SINGH ABSENT) THAT ITEM 4(k) RESOLUTION NO. 125-2001, APPROVING A FISCAL YEAR 2001-2002 BUDGET FOR THE SOUTH OF MARKET PROJECT AREA COMMITTEE IN AN AMOUNT NOT TO EXCEED \$169,770 AND AUTHORIZING A THIRD AMENDMENT TO THE PERSONAL SERVICES CONTRACT WITH THE SAN FRANCISCO COMMUNITY CLINIC CONSORTIUM, A CALIFORNIA NON-PROFIT PUBLIC BENEFIT CORPORATION, TO INCREASE THE MAXIMUM AMOUNT PAYABLE FROM \$353,638 TO \$504,183; SOUTH OF MARKET EARTHQUAKE RECOVERY REDEVELOPMENT PROJECT AREA, BE ADOPTED.

[At this time, 6:15 p.m. Commissioner King departs]

- 4 (I) Resolution No. 126-2001, Authorizing a Personal Services Contract with Safe-On-Sixth, a California non-profit corporation, in an amount not to exceed \$27,000 to provide litter and graffiti control services for Sixth Street and adjacent streets from July 1, 2001 to December 31, 2001; South of Market Earthquake Recovery Redevelopment Project Area

Presenters: William Carney (Agency staff)

Speakers: Len Creed (Safe on Sixth)

Mr. Len Creed, a board member of Safe on Sixth, requested the Commission to make the Personal Services Contract retroactive to May 1, 2001 instead of July 1, 2001.

President Yee asked staff for suggestions on helping out with Mr. Creed's request to make the contract retroactive to May 1, 2001.

Commissioner Foriest Settles asked how is the effectiveness of the program determined and are there standards or guidelines in the Agreement to determine the effectiveness of the program. Ms. Foriest Settles asked when the new RFP will be issued and will there be same level of services provided.

Commissioner Dunlop asked why the contract would start retroactively on May 1, 2001 and asked what is the purpose of the request. (Mr. Creed responded and informed the Commission that a number of board members have spent their own money totaling \$9,000 to supplement the clean-up program and are requesting the retroactive date in order to reimburse the board members) Mr. Dunlop thought that it is a great project and makes a motion to

adopt the item with the amendment to make the contract retroactive to May 1st. Commissioner Romero seconded the motion with the amendment. Commissioner Romero stated that he was a little confused and commented that it is a good and worthwhile program, that it's not a lot of money, but asked if the contract was made retroactive to May 1st, does the contract end term of December 31st gets moved up by two months. Mr. Romero asked if the delay in the negotiations was caused by bureaucracy or some other factor and if the retroactivity is related to the reimbursement of monies spent by the SOS board members. Mr. Romero stated that if people have spent their own funds and that this could be verified, he would be in favor of the reimbursement.

Commissioner Foriest Settles stated her support for the program, but is not prepared to vote for the retroactive amendment because she is not fully informed on the reimbursement issue. Ms. Foriest Settles stated that anytime that a community person is willing to spend its own funds for a community-wide program that is certainly commendable. Mr. Foriest Settles indicated that she was not ready to vote for the amendment until staff has verified the nature of the expenditures and reimbursement request.

President Yee asked if staff monitors the activities of Safe on Sixth and if it coordinates such activities.

Commissioner Palamountain inquired about the Agency's policy on contract retroactivity as well as reimbursement for expenditures. Ms. Palamountain asked if Agency policy allowed payment for pre-contract activities and if the retroactive request from Safe on Sixth for reimbursement is considered a permitted pre-contract activity. Ms. Palamountain expressed her support for the work that Safe on Sixth does but shares Commissioner Foriest Settles' concern about the \$9,000 that has been spent by Safe on Sixth board members. Ms. Palamountain stated that she would not be comfortable with the proposed amendment to make the contract retroactive to May 1st.

Commissioner Dunlop stated that with all contracts approved by the Commission, staff will review in detail the contract activities and that by awarding a particular contract it does not mean that all of the money in the contract would be spent without proper accounting and review of the scope of the contract.

Commissioner Romero stated that he is more confused and not certain with what is being approved in particular the already expended \$9,000. Mr. Romero withdrew his second to the motion to amend.

President Yee advised the Commission that the Agency should not set such a precedent of approving contracts that have retroactive activities. Mr. Yee stated that he would support the contract as proposed commencing on July 1 to December 31, 2001.

Commissioner Dunlop stated that it is staff's duty to go through contract activities and review expenditures and will not approve inappropriate activities under the contract. Mr. Dunlop remarked that the Commission has spent a lot of time on this issue and is not able to come to a consensus

Commissioner Foriest Settles put forth a motion to adopt item 4 (l).
Commissioner Romero seconded the motion.

ADOPTION: IT WAS MOVED BY MS. FORIEST SETTLES, SECONDED BY MR. ROMERO, THAT ITEM 4(l) RESOLUTION NO. 126-2001, AUTHORIZING A PERSONAL SERVICES CONTRACT WITH SAFE-ON-SIXTH, A CALIFORNIA NON-PROFIT CORPORATION, IN AN AMOUNT NOT TO EXCEED \$27,000 TO PROVIDE LITTER AND GRAFFITI CONTROL SERVICES FOR SIXTH STREET AND ADJACENT STREETS FROM JULY 1, 2001 TO DECEMBER 31, 2001; SOUTH OF MARKET EARTHQUAKE RECOVERY REDEVELOPMENT PROJECT AREA, BE ADOPTED, AND ON ROLL CALL THE FOLLOWING VOTED "AYE":

Mr. Dunlop
Ms. Palamountain
Mr. Romero
Ms. Foriest Settles
Mr. Yee

AND THE FOLLOWING VOTED "NAY":

AND THE FOLLOWING WERE ABSENT.

Mr. King
Mr. Singh

THE SECRETARY DECLARED THE RESULTS OF THE ROLL CALL VOTE, FIVE (5) AYES AND TWO (2) ABSENTS.

THE PRESIDENT THEREUPON DECLARED THAT RESOLUTION 126-2001 IS ADOPTED.

4 (m) Workshop on the Conceptual Design of the GSA Building; Federal Office Building Redevelopment Project Area

Presenters: William Carney (Agency staff), Maria Ciprazo (GSA)
Thom Mayne (Architect)

Speakers: Catherine Dodd (Congresswoman Pelosi's office), Marty Cerles,
Michael Levin

Commissioner Foriest Settles thanked GSA for coming and presenting as the public comment.

Commissioner Dunlop stated that he wished the building wasn't so high and that it should have a more tiered design, but appreciated working with GSA and the South of Market community. Mr. Dunlop acknowledged staff's work and input, which he felt, were very sound.

Commissioner Palamountain thanked GSA and the architect for a good presentation and was glad to see elements such as elevators not stopping at every floor and the inclusion of a child care facility. Ms. Palamountain stated that all of the Federal workers have children as well as the community and it is nice to have a child care facility within the building. Ms. Palamountain commented that GSA has been a leader in providing child care facilities to its employees and they are to be commended and she thanked GSA for coming to the meeting.

Commissioner Romero stated that people have different tastes in design but he likes the way the building looks, the amenities provided, the urban design and the open space plaza. Mr. Romero thanked the GSA for coming and making the presentation.

President Yee thanked the GSA and looks forward to the ground breaking for the building.

REPORT OF THE PRESIDENT

- President Yee referred to a letter from the Mayor regarding Director Morales' resignation effective July 6th. Mr. Yee commented that the Executive Director has done a good job and that the Agency will miss him, but at the same time wish him success in his future endeavors.
- Suggested that an item be calendared on the matter of appointing a new Executive Director and considering an Employment Contract for the new Executive Director.

- Suggested (for the July 3rd meeting) to re-schedule the one unfinished business item regarding South Beach Harbor and also putting off the matter regarding amendment of the Salary Resolution to provide authority to the Commission to appoint all Deputy Executive Directors and General Counsel to another meeting. President Yee solicited comments from fellow Commissioners.

Commissioner Romero indicated that he was not present at the last meeting but stated that with the new transition of the Executive Director, the Commission should put the matter of the Salary Resolution amendment for at least a month.

Commissioner Dunlop suggested that the matter be put off indefinitely because the new Director will have his or her hand full with all the work ahead for the Agency.

Commissioner Palamountain agreed with Commissioner Dunlop and makes a motion to hold the Salary Resolution matter indefinitely. Commissioner Romero seconded the motion.

MOTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MR. ROMERO, AND UNANIMOUSLY CARRIED (MR. KING AND SINGH ABSENT) THAT THE MATTER REGARDING A SALARY RESOLUTION AMENDMENT TO PROVIDE AUTHORITY TO THE COMMISSION TO APPOINT AL DEPUTY EXECUTIVE DIRECTORS AND GENERAL COUNSEL, BE TABLED INDEFINITELY.

President Yee suggested that a closed session item be calendared on July 3rd regarding the appointment and terms and conditions of employment for the new Executive Director.

Director Morales suggested that the Commission can open the July 3rd meeting and start with a closed session on the new Executive Director and following that closed session, an action item relating to the appointment and approval of an Employment Contract (for the Director) can be placed on the regular agenda. The Commission agreed.

Director Morales also suggested that the Commission schedule a date for the unfinished business regarding the South Beach Harbor.

Commissioner Palamountain put forth a motion to calendar the South Beach Harbor matter on July 10, 2001. Commissioner Romero seconded the motion.

MOTION: IT WAS MOVED BY MS. PALAMOUNTAIN, SECONDED BY MR. ROMERO, AND UNANIMOUSLY CARRIED (MR. KING AND SINGH ABSENT) THAT THE SOUTH BEACH HARBOR MATTER BE PLACED ON THE JULY 10TH COMMISSOIN MEETING CALENDAR.

REPORT OF THE EXECUTIVE DIRECTOR

- Informed the Commission that a review panel will be conducting interviews with respondents of the RFQ for the African-American Cultural Institute.
- The Board of Supervisors Finance Committee will be conducting public hearings on the Agency's budget.
- Introduced Ayisha Benham, the new Deputy Executive Director for Finance and Administration.
- Formally announced resignation effective July 6, 2001

COMMISSIONERS' QUESTIONS AND MATTERS

- Commissioner Foriest Settles congratulated Director Morales on his future endeavors. Ms. Foriest Settles requested additional information on HIV/AIDS housing support for children.

CLOSED SESSION

- (a) Pursuant to Government Code § 54956.8 to instruct the Agency's real property negotiator with respect to terms of payment for the California College of Podiatric Medicine located at 1770 Eddy Street, Parcels 729-A, 729-A(1) and 729-B, Western Addition Redevelopment Project Area A-2. Agency negotiators: Isabella Wong, Darby Kremers and Shirley Wysinger.
- (b) Pursuant to Government Code §54956.9(b)(1), Conference with Legal Counsel regarding anticipated litigation: one potential case.

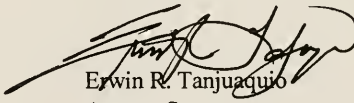
Closed Session item 10 (c) below was not discussed.

- (c) Pursuant to Government Code 5496.8 to instruct the Agency's property negotiators with respect to price and terms of payment. The property is the Henry Hotel located at 106-112 6th Street, Assessor Block No. 3726, Lot 063; South of Market Earthquake Recovery Redevelopment Project Area and the owner of the property with whom the Agency may negotiate with is Brandt Nicholson, Trustee of the Patel Trust. Agency negotiators: Olson Lee, Darby Kremers, Bill Carney, Al Luis, Sean Spear and Vanessa Dandridge.
- (d) Pursuant to Government Code §54957.6 to instruct the Agency's designated representatives to negotiate with the International Federation of professional and Technical engineers Local 21 (IFPTE Local 21). Agency designated representatives: James B. Morales, Bertha Ontiveros, Ora Williams and Chris Iglesias.

ADJOURNMENT

It was moved by Ms. Foriest Settles, seconded by Mr. Romero, and unanimously carried that the meeting be adjourned. The meeting adjourned at 9:05 p.m.

Respectfully submitted,



Erwin R. Tanjuaquio
Agency Secretary

APPROVED:

July 17, 2001



